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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



JASON KANDER
SECRETARY OF STATE

MISSOURI
REGISTER

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IN THIS ISSUE:

EMERGENCY RULES

Department of Economic Development	
Division of Business and Community Services	1925
Department of Revenue	
Director of Revenue	1965

PROPOSED RULES

Department of Elementary and Secondary Education	
Commissioner of Education	1966
Division of Learning Services	1972
Department of Natural Resources	
Air Conservation Commission	2008
Department of Public Safety	
Missouri Gaming Commission	2019
Department of Revenue	
Director of Revenue	2022
Department of Social Services	
Children's Division	2025
Family Support Division	2026
MO HealthNet Division	2039
Department of Corrections	
State Board of Probation and Parole	2043

ORDERS OF RULEMAKING

Department of Natural Resources	
Air Conservation Commission	2045
Land Reclamation Commission	2045
Department of Social Services	
MO HealthNet Division	2046
Retirement Systems	
The Public School Retirement System of Missouri	2047

Department of Insurance, Financial Institutions and Professional Registration

Missouri Board of Geologist Registration	2048
Missouri Board of Occupational Therapy	2049
State Board of Pharmacy	2049
State Committee of Psychologists	2050
Real Estate Appraisers	2051

IN ADDITIONS

Office of Administration	
State Officials' Salary Compensation Schedule	2053
Department of Health and Senior Services	
Missouri Health Facilities Review Committee	2056

CONTRACTOR DEBARMENT LIST 2057

DISSOLUTIONS 2058

SOURCE GUIDES

RULE CHANGES SINCE UPDATE	2062
EMERGENCY RULES IN EFFECT	2068
EXECUTIVE ORDERS	2071
REGISTER INDEX	2073

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
August 1, 2013 August 15, 2013	September 3, 2013 September 16, 2013	September 30, 2013 September 30, 2013	October 30, 2013 October 30, 2013
September 3, 2013 September 16, 2013	October 1, 2013 October 15, 2013	October 31, 2013 October 31, 2013	November 30, 2013 November 30, 2013
October 1, 2013 October 15, 2013	November 1, 2013 November 15, 2013	November 30, 2013 November 30, 2013	December 30, 2013 December 30, 2013
November 1, 2013 November 15, 2013	December 2, 2013 December 16, 2013	December 31, 2013 December 31, 2013	January 30, 2014 January 30, 2014
December 2, 2013 December 16, 2013	January 2, 2014 January 15, 2014	January 29, 2014 January 29, 2014	February 28, 2014 February 28, 2014
January 2, 2014 January 15, 2014	February 3, 2014 February 18, 2014	February 28, 2014 February 28, 2014	March 30, 2014 March 30, 2014
February 3, 2014 February 18, 2014	March 3, 2014 March 17, 2014	March 31, 2014 March 31, 2014	April 30, 2014 April 30, 2014
March 3, 2014 March 17, 2014	April 1, 2014 April 15, 2014	April 30, 2014 April 30, 2014	May 30, 2014 May 30, 2014

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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Washington University Law Library Washington University Campus Box 1171, Mudd Bldg., One Brookings Dr. St. Louis, MO 63130-4899 (314) 935-6443	Kansas City Public Library 14 West 10th Street Kansas City, MO 64105 (816) 701-3546	Library State Historical Society of Missouri 1020 Lowry St. Columbia, MO 65211-7298 (573) 882-9369	Springfield-Greene County Library 4653 S. Campbell Springfield, MO 65801-0760 (417) 874-8110
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Library Maryville University 13550 Conway Road St. Louis, MO 63141-7232 (314) 529-9494	Miller Nichols Library University of Missouri-Kansas City 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	School of Law University of Missouri-Columbia 224 Hulston Hall Columbia, MO 65211-0001 (573) 882-1125	
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	St. Joseph Public Library 927 Felix Street St. Joseph, MO 64501-2799 (816) 232-8151		

HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 85—Division of Business and Community
Services
Chapter 8—Amateur Sporting Contribution Tax
Credit Program**

EMERGENCY RULE

4 CSR 85-8.010 Definitions

PURPOSE: This rule explains the meaning of terms used in connection to the Amateur Sporting Contribution Tax Credit Program.

EMERGENCY STATEMENT: Because section 67.3005, RSMo, caused the Amateur Sporting Contribution Tax Credit Program to become effective as of August 28, 2013, this emergency rule is required by statute, is necessary to implement this legislation, and ensures an orderly administration of the limitations on annual issuances under this program. Should this rule not be enacted, the Amateur Sporting Contribution Tax Credit Program will remain without implementing rules for a longer period between the date the enabling statute became effective and the date at which the proposed rule becomes effective. Without implementing rules, potential applicants in the state will remain underfunded and unable to effectively pursue opportunities for amateur sporting events to be placed in the state. Therefore the Department of Economic Development finds a compelling governmental interest exists which requires this emer-

gency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections in the Missouri and United States Constitutions. The Department of Economic Development believes this emergency rule is fair to all interested parties under these circumstances. This emergency rule was filed October 28, 2013, becomes effective November 7, 2013, and expires May 5, 2014.

(1) As used in 4 CSR 85-8.010 through 4 CSR 85-8.030, the following words shall mean:

(A) Administrative hold: Applications that would otherwise gain approval but for insufficient cap space are not approved but are held until such time as cap space becomes available or the program sun-sets;

(B) Applicant: Certified sponsor or local organizing committee;

(C) Application: All of the following, submitted together to the department:

1. An Amateur Sporting Contribution Tax Credit Program Proposal Form (DED Form SCTCP App.), included herein;

2. Proof of payment showing that the applicant received an eligible donation from the contributor; and

3. Payment for the issuance fee to the department, the issuance fee payment must be in the form of a check payable to the state of Missouri;

(D) Approved: An application that the department has determined has met all requirements necessary for the issuance of tax credits;

(E) Certified sponsor: A nonprofit organization which is an active member of the National Association of Sports Commissions;

(F) Contributor: Any one (1) of the following:

1. A taxpayer, as that phrase is used in section 67.3000.1(16), RSMo;

2. A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under Chapter 143, RSMo;

3. A corporation subject to the annual corporation franchise tax imposed under Chapter 147, RSMo;

4. An insurance company paying an annual tax on its gross premium receipts in this state;

5. Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under Chapter 148, RSMo; or

6. An individual subject to the state income tax imposed under Chapter 143, RSMo; any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under Chapter 143, RSMo;

(G) Cap space: An amount equal to ten (10) million dollars less all tax credits issued under the program in a given fiscal year;

(H) Department: The Missouri Department of Economic Development;

(I) Denial: An application is denied when it is deemed by the department to be ineligible for tax credits;

(J) Eligible donation: Donations received by a certified sponsor or local organizing committee, from a contributor that may include cash, publically traded stocks and bonds, and real estate that is valued with an independent third party appraisal submitted to the department along with the application. Eligible donations must be used solely to provide funding to attract sporting events to the state and cannot be conditional. There can be no right on the part of the contributor to request return of an eligible donation under any circumstances;

(K) Fiscal Year: The State Fiscal Year, running from July through June;

(L) Issuance fee: An amount payable to the state of Missouri that is equal to one-half (1/2) of the value of the eligible donation;

(M) Local organizing committee: A nonprofit corporation or its successor in interest that—

1. Has been authorized by one (1) or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection as the host of one (1) or more sporting events; or

2. With the authorization of one (1) or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one (1) or more sporting events;

(N) Program: The Sporting Contribution Tax Credit Program found in section 67.3005, RSMo;

(O) Program sunset: The date on which the program is to end pursuant to the Missouri Sunset Act found in section 23.253, RSMo;

(P) Proof of payment: A bank statement, canceled check, or other documentation of the eligible donation showing the transfer of property from the contributor to the applicant;

(Q) Reactivation: Taking an application off of administrative hold status;

(R) Request for reactivation: Formally asking that an application be taken off of the administrative hold status;

(S) State: The state of Missouri;

(T) Tax credits: A credit or credits issued by the department against the tax otherwise due under Chapter 143 or 148, RSMo, excluding withholding tax imposed under sections 143.191 to 143.265, RSMo. Tax credits issued under this program may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer;

(U) Taxpayer: Any one (1) of the following:

1. A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under Chapter 143, RSMo;

2. A corporation subject to the annual corporation franchise tax imposed under Chapter 147, RSMo;

3. An insurance company paying an annual tax on its gross premium receipts in this state;

4. Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under Chapter 148, RSMo; or

5. An individual subject to the state income tax imposed under Chapter 143, RSMo; any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under Chapter 143, RSMo.



DED Form SCTCP App

LOG NUMBER (OFFICIAL USE ONLY)

**AMATEUR SPORTING CONTRIBUTION TAX
CREDIT PROGRAM PROJECT PROPOSAL FORM**

1a. APPLICANT INFORMATION

NAME OF INDIVIDUAL OR ENTITY

1b. TYPE OF ENTITY

IF APPLICANT IS A BUSINESS ENTITY:

Partnership

☐ General

☐ Limited

Corporation

☐ Regular

☐ Subchapter S

☐ Not for Profit

☐ Trust

☐ LLC

☐ Other (Specify):

NAME OF AUTHORIZED COMPANY OFFICIAL

TITLE

BUSINESS ADDRESS

CITY/TOWN

STATE

ZIP CODE

TELEPHONE

FAX

TAXPAYER IDENTIFICATION NUMBER

NAICS CODE (See Definitions in Guidelines)

BUSINESS SIZE (Number of Employees Including Company Owners)

EMAIL ADDRESS

HAS THE ENTITY/INDIVIDUAL (1a) EVER BEEN CONVICTED OF A VIOLATION OF THE LAWS OF ANY STATE AND, OR FEDERAL LAW?

☐ YES ☐ NO

IF YES, PROVIDE THE DATE, THE COURT, THE CHARGES AT DISPOSITION AND THE CASE NUMBER.

2. PROJECT CONTACT

☐ Applicant

☐ Owner

☐ Other (Consultant, etc.)

NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

TELEPHONE

EMAIL ADDRESS

FAX

HAS THE 'CONTACT' EVER BEEN CONVICTED OF A VIOLATION OF THE LAWS OF ANY STATE AND, OR FEDERAL LAW?

☐ YES ☐ NO

IF YES, PROVIDE THE DATE, THE COURT, THE CHARGES AT DISPOSITION AND THE CASE NUMBER.

3. TAXPAYER INFORMATION (PERSON OR ENTITY BEING ISSUED THE TAX CREDIT)					
IF TAXPAYER IS A BUSINESS ENTITY:			IF TAXPAYER IS AN INDIVIDUAL TAXPAYER:		
Partnership <input type="checkbox"/> General <input type="checkbox"/> Limited <input type="checkbox"/> Other (specify) _____		Corporation <input type="checkbox"/> Regular <input type="checkbox"/> Subchapter S <input type="checkbox"/> Trust <input type="checkbox"/> LLC		<input type="checkbox"/> Property Owner <input type="checkbox"/> Other (specify) _____	
NAME OF AUTHORIZED COMPANY OFFICIAL		TITLE		MAILING ADDRESS	
BUSINESS ADDRESS			CITY/TOWN		
CITY/TOWN		STATE	ZIP CODE	STATE	ZIP CODE
TELEPHONE		FAX		TELEPHONE	FAX
TAXPAYER IDENTIFICATION NUMBER (OR SOCIAL SECURITY NUMBER)			SOCIAL SECURITY NUMBER		
MISSOURI TAXPAYER IDENTIFICATION NUMBER			MISSOURI TAXPAYER IDENTIFICATION NUMBER		
NAICS CODE (See Definitions in Guidelines)		BUSINESS SIZE (Number of Employees Including Company Owners)		SPOUSE SOCIAL SECURITY NUMBER (if applicable)	
EMAIL ADDRESS			EMAIL ADDRESS		
HAS THE ENTITY/INDIVIDUAL (1a) EVER BEEN CONVICTED OF A VIOLATION OF THE LAWS OF ANY STATE AND, OR FEDERAL LAW? <input type="checkbox"/> YES <input type="checkbox"/> NO					
IF YES, PROVIDE THE DATE, THE COURT, THE CHARGES AT DISPOSITION AND THE CASE NUMBER.					

4. ECONOMIC ACTIVITY RESULTING FROM THE USE OF TAX CREDITS		
NUMBER OF JOBS CREATED AS A RESULT OF TAX CREDITS		
NEW CONSTRUCTION JOBS	NEW CONSTRUCTION JOBS	NEW CONSTRUCTION JOBS

5. TOTAL NUMBER OF REQUESTED TAX CREDITS	
ELIGIBLE DONATION	TAX CREDITS REQUESTED

6. PARTICIPATING IN THE E-VERIFY PROGRAM?	
IS THE APPLICANT (BUSINESS ENTITY) ENROLLED AND PARTICIPATING IN THE E-VERIFY PROGRAM? <input type="checkbox"/> YES <input type="checkbox"/> NO	
Missouri statutes (Section 285.525-285.555, RSMo) require any business entity receiving a state-administered tax credit to participate in a federal work authorization program, which enables employers to electronically verify employment eligibility with respect to employees working in connection with the activities that qualify the applicant for this program.	
To access the E-Verify website, go to: https://e-verify.uscis.gov/enroll	

7. ADDITIONAL DOCUMENTS REQUIRED	
PLEASE SUBMIT THE FOLLOWING ADDITIONAL DOCUMENTS:	
<input type="checkbox"/> Back-up documentation showing proof of the Eligible Donation.	
<input type="checkbox"/> A copy of the Memorandum of Understanding for the E-Verify Program	
<input type="checkbox"/> The Application Fee	
<input type="checkbox"/> Proof of Applicant Eligibility	

8. OTHER INCENTIVES USED

ARE THERE OTHER LOCAL, FEDERAL, STATE OF MISSOURI TAX CREDITS OR GRANTS BEING APPLIED TOWARD THIS PROJECT?

☐ YES ☐ NO

IF YES, WHICH FEDERAL OR STATE PROGRAM? (SPECIFY AMOUNT IN SPACE PROVIDED.)

☐ Missouri Housing Development Commission \$ _____

☐ Brownfield \$ _____

☐ Enterprise Zone \$ _____

☐ New Business Facility \$ _____

☐ Federal Historic Preservation \$ _____

☐ Neighborhood Assistance \$ _____

☐ Neighborhood Preservation \$ _____

☐ Youth Opportunity \$ _____

☐ Local Community Development Block Grant \$ _____

☐ Community Development Block Grant \$ _____

☐ Other (please specify program(s) and amount) _____

9. ASTCP – APPLICANT CERTIFICATION

1. I certify that I am an authorized representative of the applicant and, as such, am authorized to make the statement of affirmation contained herein.
2. The information submitted by the applicant to DED in connection with this application are true and correct and such information is consistent with documents provided to lenders, other government programs, or investors. The applicant hereby authorizes DED to verify such information.
3. Neither the applicant, nor any individual with an ownership interest in the applicant:
 - a. Has committed a felony, is currently under indictment or charged with a felony, or is currently on parole or probation;
 - b. Is delinquent with respect to any non-protested federal, state or local taxes or fees;
 - c. Has filed, or is preparing to file, for bankruptcy, unless otherwise disclosed to DED; or
 - d. Has failed to fulfill any obligation under any other state or federal program, including a failure to pay as agreed any accrual upon which tax credits were issued.
4. I will inform DED, if at any time before project completion, there is any change to the certifications made in paragraphs 3(a) through 3(d) of this statement of affirmation.
5. The applicant, and any vendors the applicant will utilize to perform the work associated with the project, are registered and in good standing with the Missouri Secretary of State's Office.
6. The applicant agrees to comply with any and all agreements made pursuant to the project, upon which tax credits are issued.
7. I certify that the applicant does NOT knowingly employ any person who is an unauthorized alien and that the applicant has complied with federal law (8 U.S.C. § 1324a) requiring the examination of an appropriate document or documents to verify that each individual is not an unauthorized alien.
8. I certify that applicant is enrolled and will participate in a federal work authorization program as defined in Section 285.525(6), RSMo., with respect to employees working in connection with the activities that qualify applicant for this program. I certify that the applicant will maintain and, upon request, provide to DED documentation demonstrating applicant's participation in a federal work authorization program with respect to employees working in connection with the activities that qualify applicant for this program.
9. The applicant understands that, pursuant to section 285.530.5, RSMo, a general contractor or subcontractor of any tier shall not be liable under sections 285.525 to 285.550 when such general contractor or subcontractor contracts with its direct subcontractor who violates section 285.530.1, if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of section 285.530.1 and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to the fact that the direct subcontractor's employees are lawfully present in the United States.
10. I understand that if the applicant is found to have employed an unauthorized alien, applicant may subject to penalties pursuant to Sections 135.815, 285.025, and 285.535, RSMo.

11. I certify that (check the applicable box):

☐ I have included a copy of the executed E-Verify Program for Employment Verification Memorandum of Understanding between the company/organization and the Department of Homeland Security, United States Citizenship and Immigration Services (DHS-USCIS) and Social Security Administration.

☐ I am not a business entity as defined in Section 285.525 (1) RSMo. Section 285.525(1) defines business entity as "any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage or livelihood. The term "business entity" shall include but not be limited to self-employed individuals, partnerships, corporations, contractors, and subcontractors. The term "business entity" shall include any business entity that possesses a business permit, license, or tax certificate, issued by the state, any business entity that is exempt by law from obtaining such a business permit, any business entity that is operating unlawfully without such a business permit. The term "business entity" shall not include a self-employed individual with no employees or entities utilizing the services of direct sellers as defined in subdivision (17) of subsection 12 of section 288.034, RSMo."

12. By submitting this application, I acknowledge that the applicant shall comply with Amateur Sporting Events Tax Credit Program requirements. I further acknowledge that the applicant's failure to comply with the Program requirements shall result in the return to DED of any remaining unexpended tax credit proceeds and repayment to DED the monetary value of any expended tax credit proceeds

13. I attest to having received the Eligible Donation described above from the Taxpayer listed above. I further attest that I shall only use the Eligible Donation to fund activities directly related to attracting a Sporting Event to the State of Missouri.

14. I shall submit to the Taxpayer, all information necessary for the Taxpayer to comply with the Tax Credit Accountability Act by no later than May 30th of any year during the Taxpayer's reporting period under the Tax Credit Accountability Act. I agree to be liable to the Taxpayer for any penalty imposed under the Tax Credit Accountability Act as a direct result of my failure to supply information to the Taxpayer.

15. I certify under penalties of perjury that the above statements, information contained in the application and attachments are complete, true, and correct to the best of my knowledge. I also realize that failure to disclose material information regarding the applicant, its owners, or any other pertinent facts may result in criminal prosecution.

APPLICANT SIGNATURE	PRINT NAME	TITLE	DATE
NOTARY PUBLIC EMBOSSEER SEAL	On this ____ day of _____, 20____, appeared _____ to me personally known to be the person who executed the above certification, and acknowledges and states on his/her oath to me that he/she executed the same for the purpose therein stated.		
	STATE OF _____		COUNTY _____
	NOTARY PUBLIC NAME _____	MY COMMISSION EXPIRES _____	USE RUBBER STAMP IN AREA BELOW
	NOTARY PUBLIC SIGNATURE _____		

APPLICATION INSTRUCTIONS:**1. APPLICANT INFORMATION:**

Name: Provide the name of the individual or entity that is filing the application and will receive the tax credits. The tax credit certificate will be issued to the individual or entity entered as the applicant.

Type of Entity:

- If the applicant is a business entity, complete the appropriate information on the left. Check the appropriate box indicating the type of entity. Supply the name of an authorized company official and the address. Enter the entity's Taxpayer Identification Number. Supply the appropriate NAICS code (see Definitions in Guidelines). Enter the authorized company official's email address, if available. List the property owner.
- If the applicant is an individual, complete the appropriate information on the right. Check the appropriate box indicating if the individual is the property owner. Enter the individual's contact information. Supply the individual's Social Security Number and spouse's Social Security Number, if applicable. Enter the applicant's email address, if available. If the individual requesting tax credits is not the property owner, please list the owner.
- **Special Note:** For entities with flow through tax treatment (e.g., partnerships, S-corporations, etc.), on a separate sheet include the name, address, and social security number or taxpayer ID number for all persons or entities with an ownership interest. Provide the percentage ownership interest for each taxpayer as of the time of the application. If the tax credits are to be certified other than pro rata according to the proportion of ownership interest, attach an executed agreement among the partners, members, or owners documenting the alternate distribution method.

2. PROJECT CONTACT:

Applicant/Owner/Other: Check the appropriate box and specify the name and contact information of the contact person. The Project Contact may be the applicant or a third-party contact. All correspondence from DED will be sent to the Project Contact.

3. TAXPAYER INFORMATION:

Please contact the Taxpayer to obtain the relevant information.

4. ECONOMIC ACTIVITY RESULTING FROM THE USE OF TAX CREDITS:

Anticipated Number of Jobs Created: Enter the number of jobs expected to be created as a result of the Tax Credits; this number should include new construction, full time permanent, and part time permanent jobs.

New Construction Jobs: Construction-related jobs created as a result of the Tax Credits.

Full-Time Permanent Jobs: Full-time permanent jobs created as a result of the Tax Credits, which should not include full-time equivalent jobs made up of several part-time jobs.

Part-Time Permanent Jobs: Part-time permanent jobs created as a result of the Tax Credits.

5. TOTAL NUMBER OF REQUESTED TAX CREDITS:

Eligible Donation: List the Fair Market Value of the Eligible Donation at the time the Donation was made.

Tax Credits Requested: 50% of the Eligible Donation.

6. PARTICIPATING IN THE E-VERIFY PROGRAM?

Please indicate yes or no. Participation in the E-Verify Program is a prerequisite of receiving ASTCP tax credits.

7. ADDITIONAL DOCUMENTS REQUIRED:

Back-up documentation: The Applicant must provide documents demonstrating that a transfer of property occurred in order to make an Eligible Donation, and the Applicant must provide proof of the value of the Eligible Donation when applicable (see Eligible Donation in the Definitions Section).

A copy of the Memorandum of Understanding for the E-Verify Program: The Memorandum of Understanding must be properly executed by the Applicant.

The Application Fee: Provide a check payable to the State of Missouri in an amount equal to the value of the Tax Credits for which this Application is made.

Proof of Applicant Eligibility: Please provide back-up establishing that the Applicant is either a Certified Sponsor or a Local Organizing Committee.

8. OTHER INCENTIVES USED:

Are there other State of Missouri tax credits being applied toward this project? Select the appropriate box. If "Yes," please indicate which programs are applicable. If no other programs are being applied to the project, check "No."

9. ASTCP – APPLICANT CERTIFICATION:

Must be signed and notarized.

AUTHORITY: section 67.3005, RSMo Supp. 2013. Emergency rule filed Oct. 28, 2013, effective Nov. 7, 2013, expires May 5, 2014.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 85—Division of Business and Community
Services
Chapter 8—Amateur Sporting Contribution Tax
Credit Program**

EMERGENCY RULE

4 CSR 85-8.020 Program Administration

PURPOSE: This rule explains the administration of the program cap for the Amateur Sporting Contribution Tax Credit Program.

EMERGENCY STATEMENT: Because section 67.3005, RSMo, caused the Amateur Sporting Contribution Tax Credit Program to become effective as of August 28, 2013, this emergency rule is required by statute, is necessary to implement this legislation, and ensures an orderly administration of the limitations on annual issuances under this program. Should this rule not be enacted, the Amateur Sporting Contribution Tax Credit Program will remain without implementing rules for a longer period between the date the enabling statute became effective and the date at which the proposed rule becomes effective. Without implementing rules, potential applicants in the state will remain underfunded and unable to effectively pursue opportunities for amateur sporting events to be placed in the state. Therefore the Department of Economic Development finds a compelling governmental interest exists which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections in the Missouri and United States Constitutions. The Department of Economic Development believes this emergency rule is fair to all interested parties under these circumstances. This emergency rule was filed October 28, 2013, becomes effective November 7, 2013, and expires May 5, 2014.

(1) If the applicant has submitted all required documents in an application accurately and completely, the contributor associated with an application shall be issued tax credits, so long as there is cap space available in the fiscal year in which an application is to be approved;

(2) The department will not exercise its authority to require an additional fee under section 620.1900, RSMo;

(3) Complete and accurate applications shall be allocated cap space in the order received. If two (2) or more complete and accurate applications are received on the same day, a lottery will be used to determine the order in which applications will be approved;

(4) If there is insufficient cap space available in a fiscal year for an otherwise valid application to be approved, the application will be placed on administrative hold.

(A) Applications placed on administrative hold due to a lack of available cap space will not have their issuance fees processed when the applications are undergoing the approval process; any issuance fee payment received by the department will be returned to the applicant.

(B) If cap space becomes available for an application placed on administrative hold prior to the program sunset, the application will be denied unless—

1. The applicant submits a request for reactivation within thirty (30) days following the date on which the department first sent official notification; and
2. The applicant submits a new issuance fee.

(C) Requests for reactivation will be processed in the order the underlying applications were received. If two (2) or more applications were received on the same day the requests for reactivation will be processed in the order established by the lottery.

(5) If there is only sufficient cap space available in a fiscal year for a portion of a valid application to be processed, the applicant must submit a new issuance fee to cover the portion of the award request that has sufficient cap space available. The remaining cap space will be placed on administrative hold and will be processed as described in 4 CSR 85-8.020(1) through 4 CSR 85-8.020(4) above.

(6) All applications on administrative hold as of the date when the program sunsets will be denied.

AUTHORITY: section 67.3005, RSMo Supp. 2013. Emergency rule filed Oct. 28, 2013, effective Nov. 7, 2013, expires May 5, 2014.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 85—Division of Business and Community
Services
Chapter 8—Amateur Sporting Contribution Tax
Credit Program**

EMERGENCY RULE

4 CSR 85-8.030 Tax Credit Accountability Act Compliance

PURPOSE: This rule explains the interaction between the Amateur Sporting Contribution Tax Credit Program and the Tax Credit Accountability Act.

EMERGENCY STATEMENT: Because section 67.3005, RSMo, caused the Amateur Sporting Contribution Tax Credit Program to become effective as of August 28, 2013, this emergency rule is required by statute, is necessary to implement this legislation, and ensures an orderly administration of the limitations on annual issuances under this program. Should this rule not be enacted, the Amateur Sporting Contribution Tax Credit Program will remain without implementing rules for a longer period between the date the enabling statute became effective and the date at which the proposed rule becomes effective. Without implementing rules, potential applicants in the state will remain underfunded and unable to effectively pursue opportunities for amateur sporting events to be placed in the state. Therefore the Department of Economic Development finds a compelling governmental interest exists which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections in the Missouri and United States Constitutions. The Department of Economic Development believes this emergency rule is fair to all interested parties under these circumstances. This emergency rule was filed October 28, 2013, becomes effective November 7, 2013, and expires May 5, 2014.

(1) The applicant is not a recipient for purposes of the Tax Credit Accountability Act of 2004, sections 135.800 to 135.830, RSMo, because the applicant does not receive proceeds from the Tax Credit Program directly from the department.

(2) The contributor is not a recipient for purposes of the Tax Credit Accountability Act of 2004, sections 135.800 to 135.830, RSMo, because the contributor is not the original applicant.

(3) Neither the applicant nor the contributor are required to file annual reports for purposes of section 135.805, RSMo.

AUTHORITY: sections 67.3005 and 135.805.16, RSMo Supp. 2013. Emergency rule filed Oct. 28, 2013, effective Nov. 7, 2013, expires May 5, 2014.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 85—Division of Business and Community
Services
Chapter 9—Amateur Sporting Tax Credit Program**

EMERGENCY RULE

4 CSR 85-9.010 Definitions

PURPOSE: This rule explains the meaning of terms used in connection to the Amateur Sporting Tax Credit Program.

EMERGENCY STATEMENT: Because section 67.3000, RSMo, caused the Amateur Sporting Tax Credit Program to become effective as of August 28, 2013, this emergency rule is necessary to implement this legislation, and ensures an orderly administration of the limitations on annual issuances under this program. Should this rule not be enacted, the Amateur Sporting Tax Credit Program cannot be implemented, as section 67.3000, RSMo, requires applicants to submit documentation in a manner prescribed by the Department of Economic Development. The Department of Economic Development cannot prescribe a manner of documentation that is generally applicable without first implementing rules. Failure on the part of the Department of Economic Development to implement these rules will result in a loss of economic activity in the state, as applicants will lose out on opportunities to bid on placement of competitively bid sporting events in the state. Therefore the Department of Economic Development finds a compelling governmental interest exists which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections in the Missouri and United States Constitutions. The Department of Economic Development believes this emergency rule is fair to all interested parties under these circumstances. This emergency rule was filed October 28, 2013, becomes effective November 7, 2013, and expires May 5, 2014.

(1) As used in 4 CSR 85-9.010 through 4 CSR 85-9.050, the following words shall mean:

(A) Active member: An organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(B) Admission ticket: A ticket that is both purchased for face value and utilized by a spectator of a sporting event.

(C) Applicant or applicants: One (1) or more of the following acting individually or collectively:

1. Certified sponsors;
2. Endorsing counties;
3. Endorsing municipalities;
4. Local organizing committees; or
5. Related parties to another applicant;

(D) Certified sponsor or certified sponsors: One (1) or more nonprofit organizations which are active members of the National Association of Sports Commissions;

(E) Construction: Any activity directly or indirectly related to the building of new improvements on real property;

(F) DED: The Missouri Department of Economic Development;

(G) Department: The Missouri Department of Economic Development;

(H) *De Minimis* ticket price: A ticket sold for less than five dollars (\$5);

(I) Director: The Director of the Department of Revenue;

(J) DOR: The Department of Revenue;

(K) Eligible costs: All costs, except ineligible costs, that are incurred and paid after receipt of the project proposal and before the receipt of the final application, and are also—

1. Necessary for conducting a sporting event;
2. Related to the preparations necessary for conducting a sporting event;
3. The pledged obligations to a site selection organization as evidenced by a support contract for a sporting event;
4. Incurred and paid after receipt of the project proposal and before the receipt of the final application; or

5. If approved by the department, costs that are associated with retrofitting a facility necessarily to accommodate a sporting event;

(L) End of a sporting event: A sporting event shall be deemed to end upon the conclusion of the sporting event; or upon the last sporting event if there are multiple sporting events being held over several days;

(M) Endorsing county: An endorsing municipality that is also a county;

(N) Endorsing municipality or municipalities: Any city, town, incorporated village, or county that contains a site selected by a site selection organization for one (1) or more sporting events;

(O) Event notification period: A period starting no more than sixty (60) days prior to the start of a sporting event and ending no less than thirty (30) days prior to the start of a sporting event. If the sporting event is a series of sporting events covered under a single support contract, then the date of the first sporting event shall serve as the start of all the sporting events under that support contract;

(P) Face Value: The sales price for a ticket that is not—

1. Reserved, pledged, or in any way limited to a specific pool of people or organizations;
2. Sold at a discount or as part of a package where the total price of which has been in any way reduced;
3. Purchased by a promoter, site selection organization, applicant, broadcasting organization, or a party related to a promoter, site selection organization, applicant, broadcasting organization; or
4. Sold for a *De Minimis* ticket price;

(Q) Ineligible expense: Any expense related to—

1. Construction;
2. Rehabilitation;
3. A payment to a related party;
4. Any accrued cost; or
5. A direct payment to a for-profit site selection organization;

(R) Invoice: A descriptive list of goods and services provided, listing the sum due to be paid;

(S) Joinder agreements: An agreement entered into by one (1) or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in Missouri for the location of a sporting event;

(T) Joinder undertaking: An agreement entered into by one (1) or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in Missouri for a sporting event;

(U) Local organizing committee: A nonprofit corporation or its successor in interest that—

1. Has been authorized by one (1) or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization regarding a bid to host one (1) or more sporting events; or

2. With the authorization of one (1) or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one (1) or more sporting events;

(V) NAICS Code: North American Industry Classification System. The Federal Office of Management and Budget (OMB) adopted the NAICS as the industry classification system used by the

statistical agencies of the United States. NAICS replaces the 1987 Standard Industrial Classification (SIC). The NAICS is used for classifying business establishments to assist with gathering data related to measuring productivity, unit labor costs, and the capital intensity of production, employment, and other information. Missouri businesses are assigned a NAICS when the company files a "Report to Determine Liability Status" with the Missouri Department of Labor and Industrial Relations, Division of Employment Security to determine Unemployment Tax Liability. Normally, a general business employer becomes liable for the tax and responsible for providing unemployment insurance for its workers when it—

1. Pays one thousand five hundred dollars (\$1,500) in wages (cash and in-kind) in a calendar quarter;
2. Has an employee in some portion of a day in each of twenty (20) different weeks;
3. Becomes liable under the Federal Unemployment Tax Act (FUTA) and employs a worker in Missouri; or
4. Acquires and continues without interruption substantially all the business of a liable employer;

(W) Necessary for conducting or necessary for the conduct of: Costs or preparations shall be deemed necessary only if they pass a strict but-for analysis whereby the sport played at the sporting event could not be played without the cost in question. This type of expense will be construed strictly;

(X) Pledged obligation: All reasonable expense that must be undertaken by an applicant, pursuant to the support contract, as a condition of hosting the sporting event;

(Y) Proof of Payment: Proof of Payment must be indicated with one (1) of the following:

1. A bank or credit card statement showing the transfer of funds to the payee;
2. A canceled check from a bank;
3. A title company statement showing the transfer of funds from the title company to the payee. Documentation must also be provided showing the transfer of funds from the applicant to the title company; or
4. A similar document showing the transfer of funds from the applicant to a payee;

(Z) Rehabilitation: The repair, renovation, restoration, or reconstruction of a building.

(AA) Related party: Any party—

1. Holding any financial interest in the other party (i.e. general contractor, subcontractor, vendor);
2. Where one (1) or more of the officers, directors, stockholders, or partners is also an officer, director, stockholder, or partner of the other party;
3. Where one (1) or more of the officers, directors, stockholders, or partners has any financial interest whatsoever in the other party, or has controlling interest in the management or operation of the other party;
4. Advanced funds by another party;
5. When the other party provides and pays, on behalf of the applicant, the cost of any legal services, architectural services or engineering services other than those of a surveyor, general superintendent, or engineer employed by a general contractor in connection with obligations under the construction contract;
6. Who takes stock or any interest in another party as part of consideration to be paid;
7. When there exists or comes into being any side deals, agreements, contract, or undertakings entered into, thereby altering, amending, or canceling any of the original documents submitted to DED, except as approved by DED; or
8. Where one (1) or more of the: 1) officers, 2) directors, 3) stockholders, or 4) partners is also a: 1) parent, 2) grandparent, 3) child, or 4) sibling of an: 1) officer, 2) director, 3) stockholder, or 4) partner of another party;

(BB) Site selection organization: One (1) of the following:

1. Major amateur organizations that promote, organize, or administer sporting games; or
2. Major regional, national, and international—

A. Sports associations; or

B. Organizations that promote or organize sporting events;

(CC) Sources and uses: A document prepared by the applicant showing the available funds that will be used to conduct the sporting event, along with all projected expenses associated with the sporting event;

(DD) Sporting event: An amateur or olympic sporting event that is competitively bid or is awarded by a site selection organization. A sporting event may include several sporting events, provided those sporting events are all covered under a single support contract;

(EE) Support contract: An event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization as submitted with the project proposal. All pledged obligations must be specifically listed within the support contract itself. If the support contract incorporates additional document by reference, those additional documents must be submitted as part of the support contract in order to be considered by the DED;

(FF) Tax credit: A credit issued by the Department of Economic Development against the tax otherwise due under Chapters 143 or 148, RSMo, excluding withholding tax imposed under sections 143.191 to 143.265, RSMo.

AUTHORITY: section 67.3000, RSMo Supp. 2013. Emergency rule filed Oct. 28, 2013, effective Nov. 7, 2013, expires May 5, 2014.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 85—Division of Business and Community Services

Chapter 9—Amateur Sporting Tax Credit Program

EMERGENCY RULE

4 CSR 85-9.020 Application Process

PURPOSE: This rule explains the meaning of terms used in connection to the Amateur Sporting Tax Credit Program.

EMERGENCY STATEMENT: Because section 67.3000, RSMo, caused the Amateur Sporting Tax Credit Program to become effective as of August 28, 2013, this emergency rule is necessary to implement this legislation, and ensures an orderly administration of the limitations on annual issuances under this program. Should this rule not be enacted, the Amateur Sporting Tax Credit Program cannot be implemented, as section 67.3000, RSMo, requires applicants to submit documentation in a manner prescribed by the Department of Economic Development. The Department of Economic Development cannot prescribe a manner of documentation that is generally applicable without first implementing rules. Failure on the part of the Department of Economic Development to implement these rules will result in a loss of economic activity in the state, as applicants will lose out on opportunities to bid on placement of competitively bid sporting events in the state. Therefore the Department of Economic Development finds a compelling governmental interest exists which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections in the Missouri and United States Constitutions. The Department of Economic Development believes this emergency rule is fair to all interested parties under these circumstances. This emergency rule was filed October 28, 2013, becomes effective November 7, 2013, and expires May 5, 2014.

- (1) The application process will be comprised of three (3) steps—

(A) The project proposal step in which the applicant submits the project proposal and support contract to the department for approval.

1. The department will have sixty (60) days following the receipt of the project proposal in which to approve the project proposal, or the application is denied.

2. If the department approves the project proposal, the department will then—

A. Deny the project if the support contract does not meet the statutory requirements; or

B. Certify that the support contract meets the statutory requirements of the program.

3. As part of its project proposal, an applicant will give a date for the sporting event, if the state fiscal year in which the sporting event is to take place passes, the project is denied;

(B) The event notification step in which the applicant notifies the department of an upcoming sporting event.

1. The event notification must be submitted to the department no earlier than thirty (30) days, and no more than sixty (60) days prior to the sporting event or the project is denied;

(C) The final application step in which the department determines eligibility and the potential amount of any tax credit award.

1. The final application must be submitted no later than thirty (30) days following the end of the sporting event or the project is denied.

2. The department and the director may determine the total number of tickets sold at face value for a sporting event within seven (7) days following the end of the sporting event.

A. If the department and the director do not determine the total number of tickets sold at face value for a sporting event, the department shall determine the number of admissions tickets sold to the event through evidence submitted by the applicant with the final application.

AUTHORITY: section 67.3000, RSMo Supp. 2013. Emergency rule filed Oct. 28, 2013, effective Nov. 7, 2013, expires May 5, 2014.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 85—Division of Business and Community Services

Chapter 9—Amateur Sporting Tax Credit Program

EMERGENCY RULE

4 CSR 85-9.030 Project Proposal

PURPOSE: This rule explains the application process used in connection to the Amateur Sporting Tax Credit Program.

EMERGENCY STATEMENT: Because section 67.3000, RSMo, caused the Amateur Sporting Tax Credit Program to become effective as of August 28, 2013, this emergency rule is necessary to implement this legislation, and ensures an orderly administration of the limitations on annual issuances under this program. Should this rule not be enacted, the Amateur Sporting Tax Credit Program cannot be implemented, as section 67.3000, RSMo, requires applicants to submit documentation in a manner prescribed by the Department of Economic Development. The Department of Economic Development cannot prescribe a manner of documentation that is generally applicable without first implementing rules. Failure on the part of the Department of Economic Development to implement these rules will result in a loss of economic activity in the state, as applicants will lose out on opportunities to bid on placement of competitively bid sporting events in the state. Therefore the Department of Economic Development finds a compelling governmental interest exists which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies

with the protections in the Missouri and United States Constitutions. The Department of Economic Development believes this emergency rule is fair to all interested parties under these circumstances. This emergency rule was filed October 28, 2013, becomes effective November 7, 2013, and expires May 5, 2014.

(1) The following will be included as part of the project proposal:

(A) The Project Proposal Form, included herein;

(B) Documents explaining the methodology and assumptions used in calculating the following estimates from the Project Proposal Form:

1. The expected Missouri venue preparation activities;

2. The expected event costs;

3. The expected visitor sporting event spending; and

4. The expected visitor spending (outside the sporting event);

(C) The memorandum of understanding for the E-Verify Program;

(D) The sources and uses for the sporting event; and

(E) A copy of the support contract.

(2) The department reserves the right to request additional documentation in order to approve or deny a Project Proposal Form;

(3) In making its decision to approve or deny the project proposal, the department will consider the following factors:

(A) The extent to which the project is receiving other public subsidies, both direct and indirect;

(B) The anticipated net present value of the sporting event on Missouri's overall economy;

(C) The anticipated net present value of the sporting event upon Missouri state revenues;

(D) The probability that the sporting event will meet the projections made in the project proposal;

(E) The anticipated opportunity costs associated with issuing tax credits on this project;

(F) The overall desirability of hosting this type of sporting event;

(G) The probability of the sporting event taking place in Missouri absent the award of tax credits;

(H) The overall effect that the approval of this project will have on the department's ability to approve future projects, given the limited cap space available under this program;

(I) The extent to which tax credits are being utilized in lieu of other funding sources that may be available to this project;

(J) The effectiveness and efficiency of the tax credits as a source of project funds net transaction costs; and

(K) Whether the tax credits would represent the least amount necessary to ensure project completion.

MISSOURI

Department of Economic Development

**ASTCP
PROJECT PROPOSAL**

LOG NUMBER (OFFICIAL USE ONLY)

**AMATEUR SPORTING TAX CREDIT PROGRAM
PROJECT PROPOSAL FORM****1a. APPLICANT INFORMATION (PERSON OR ENTITY CLAIMING THE TAX CREDIT)**NAME OF INDIVIDUAL OR ENTITY**1b. TYPE OF ENTITY****IF APPLICANT IS A BUSINESS ENTITY:**

Partnership

☐ General☐ Limited

Corporation

☐ Regular☐ Subchapter S☐ Trust☐ LLC**IF APPLICANT IS AN INDIVIDUAL TAXPAYER:**☐ Property Owner☐ Other (specify) _____

NAME OF AUTHORIZED COMPANY OFFICIAL

TITLE

MAILING ADDRESS

BUSINESS ADDRESS

CITY/TOWN

CITY/TOWN

STATE

ZIP CODE

STATE

ZIP CODE

TELEPHONE

FAX

TELEPHONE

FAX

TAXPAYER IDENTIFICATION NUMBER (OR SOCIAL SECURITY NUMBER)

SOCIAL SECURITY NUMBER

NAICS CODE (See Definitions in Guidelines)

BUSINESS SIZE (Number of Employees
Including Company Owners)

SPOUSE SOCIAL SECURITY NUMBER (if applicable)

EMAIL ADDRESS

EMAIL ADDRESS

HAS THE ENTITY/INDIVIDUAL (1a) EVER BEEN CONVICTED OF A VIOLATION OF THE LAWS OF ANY STATE AND, OR FEDERAL LAW?

☐ YES ☐ NO

IF YES, PROVIDE THE DATE, THE COURT, THE CHARGES AT DISPOSITION AND THE CASE NUMBER.

2. PROJECT CONTACT☐ Applicant ☐ Owner ☐ Other (Consultant, etc.)

NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

TELEPHONE

EMAIL ADDRESS

FAX

HAS THE 'CONTACT' EVER BEEN CONVICTED OF A VIOLATION OF THE LAWS OF ANY STATE AND, OR FEDERAL LAW?

☐ YES ☐ NO

IF YES, PROVIDE THE DATE, THE COURT, THE CHARGES AT DISPOSITION AND THE CASE NUMBER.

3. SPORTING EVENT INFORMATION (ATTACH ADDITIONAL PAGES IF NECESSARY)			
TYPE OF EVENT			
EVENT ADDRESS			
CITY/TOWN		STATE	ZIP CODE
COUNTY			
EVENT DATE			
4. EXPECTED MISSOURI VENUE PREPERATION ACTIVITES (ATTACH ADDITIONAL PAGES IF NECESSARY)			
DATES OF VENUE PREPARATION			
MAINTENANCE COSTS		AMOUNT	
CONSTRUCTION COSTS		AMOUNT	
RENTAL SERVICES		AMOUNT	
PROFESSIONAL SERVICES (LOCAL ADVERTISING)		AMOUNT	
PROFESSIONAL SERVICES (LOCAL LEGAL COSTS)		AMOUNT	
PROFESSIONAL SERVICES (LOCAL FINANCIAL COSTS)		AMOUNT	
PROFESSIONAL SERVICES (OTHER)		AMOUNT	
OTHER		AMOUNT	
OTHER		AMOUNT	
TOATAL		TOTAL AMOUNT	
5. EXPECTED EVENT COSTS (ATTACH ADDITIONAL PAGES IF NECESSARY)			
SECURITY		AMOUNT	
RENTAL SERVICES (TYPE)		AMOUNT	
RENTAL SERVICES (TYPE)		AMOUNT	
PARKING		AMOUNT	
OTHER		AMOUNT	
OTHER		AMOUNT	
TOTAL		AMOUNT	
6. EXPECTED EVENT TICKET AND ATTENDANCE INFORMATION			
EXPECTED ATTENDANCE		ESTIMATED LOCAL ATTENDEES	
ESTIMATED OUT-OF-STATE ATTENDEES	PROJECTED AVERAGE TICKET SALES PRICE	ESTIMATED TICKETS SOLD AT FACE VALUE	
7. USE OF PROPERTY			
NUMBER OF JOBS CREATED AS A RESULT OF TAX CREDITS			
NEW CONSTRUCTION JOBS	NEW CONSTRUCTION JOBS	NEW CONSTRUCTION JOBS	

8. EXPECTED VISITOR SPORTING EVENT SPENDING		
FOOD AND BEVERAGE		AMOUNT
MERCHANDISE		AMOUNT
OTHER		AMOUNT
TOTAL		AMOUNT
9. EXPECTED VISITOR SPENDING (OUTSIDE OF THE SPORTING EVENT)		
RESTAURANTS		AMOUNT
HOTELS OR LOGING		AMOUNT
TRANSPORTATION (CAR RENTALS, GAS, ETC)		AMOUNT
OTHER ENTERTAINMENT		AMOUNT
OTHER		AMOUNT
TOTAL		AMOUNT
10. TOTAL NUMBER OF REQUESTED TAX CREDITS		
ELIGIBLE COSTS		AMOUNT
ESTIMATED TICKETS SOLD AT FACE VALUE (SECTION 6 ABOVE)	NUMBER OF TICKETS MULTIPLIED BY \$5	AMOUNT
MAXIMUM TAX CREDITS		AMOUNT
11. PARTICIPATING IN THE E-VERIFY PROGRAM?		
<p>IS THE APPLICANT (BUSINESS ENTITY) ENROLLED AND PARTICIPATING IN THE E-VERIFY PROGRAM?</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Missouri statutes (Section 285.525-285.555, RSMo) require any business entity receiving a state-administered tax credit to participate in a federal work authorization program, which enables employers to electronically verify employment eligibility with respect to employees working in connection with the activities that qualify the applicant for this program.</p> <p>To access the E-Verify website, go to: https://e-verify.uscis.gov/enroll</p>		
12. ADDITIONAL DOCUMENTS REQUIRED		
PLEASE SUBMIT THE FOLLOWING ADDITIONAL DOCUMENTS:		
<input type="checkbox"/> A copy of the Support Contract for the Sporting Event		
<input type="checkbox"/> Back-up documentation showing the how the estimates for Sections 4 – 8 were arrived at. This documentation could include historical figures from previous events, historical data regarding average sales, and studies and research on the economic impact of a sporting event on an area.		
<input type="checkbox"/> A copy of the Memorandum of Understanding for the E-Verify Program		
<input type="checkbox"/> A copy of the Sources and Uses for the Sporting Event		
<input type="checkbox"/> Executed financing agreements evidencing that there will be sufficient funding to host the Sporting Event		

13. OTHER INCENTIVES USED

ARE THERE OTHER LOCAL, FEDERAL, STATE OF MISSOURI TAX CREDITS OR GRANTS BEING APPLIED TOWARD THIS PROJECT?

☐ YES ☐ NO

IF YES, WHICH FEDERAL OR STATE PROGRAM? (SPECIFY AMOUNT IN SPACE PROVIDED.)

- | | |
|---|---|
| <input type="checkbox"/> Missouri Housing Development Commission \$ _____ | <input type="checkbox"/> Brownfield \$ _____ |
| <input type="checkbox"/> Enterprise Zone \$ _____ | <input type="checkbox"/> New Business Facility \$ _____ |
| <input type="checkbox"/> Federal Historic Preservation \$ _____ | <input type="checkbox"/> Neighborhood Assistance \$ _____ |
| <input type="checkbox"/> Neighborhood Preservation \$ _____ | <input type="checkbox"/> Youth Opportunity \$ _____ |
| <input type="checkbox"/> Local Community Development Block Grant \$ _____ | <input type="checkbox"/> Community Development Block Grant \$ _____ |
| <input type="checkbox"/> Other (please specify program(s) and amount) _____ | |

14. ASTCP - APPLICANT CERTIFICATION

1. I certify that I am an authorized representative of the applicant and, as such, am authorized to make the statement of affirmation contained herein.
2. The information submitted by the applicant to DED in connection with this application are true and correct and such information is consistent with documents provided to lenders, other government programs, or investors. The applicant hereby authorizes DED to verify such information.
3. Neither the applicant, nor any individual with an ownership interest in the applicant:
 - a. Has committed a felony, is currently under indictment or charged with a felony, or is currently on parole or probation;
 - b. Is delinquent with respect to any non-protested federal, state or local taxes or fees;
 - c. Has filed, or is preparing to file, for bankruptcy, unless otherwise disclosed to DED; or
 - d. Has failed to fulfill any obligation under any other state or federal program, including a failure to pay as agreed any accrual upon which tax credits were issued.
4. I will inform DED, if at any time before project completion, there is any change to the certifications made in paragraphs 3(a) through 3(d) of this statement of affirmation.
5. The applicant, and any vendors the applicant will utilize to perform the work associated with the project, are registered and in good standing with the Missouri Secretary of State's Office.
6. The applicant agrees to comply with any and all agreements made pursuant to the project, upon which tax credits are issued.
7. I certify that the applicant does NOT knowingly employ any person who is an unauthorized alien and that the applicant has complied with federal law (8 U.S.C. § 1324a) requiring the examination of an appropriate document or documents to verify that each individual is not an unauthorized alien.
8. I certify that applicant is enrolled and will participate in a federal work authorization program as defined in Section 285.525(6), RSMo., with respect to employees working in connection with the activities that qualify applicant for this program. I certify that the applicant will maintain and, upon request, provide to DED documentation demonstrating applicant's participation in a federal work authorization program with respect to employees working in connection with the activities that qualify applicant for this program.
9. The applicant understands that, pursuant to section 285.530.5, RSMo, a general contractor or subcontractor of any tier shall not be liable under sections 285.525 to 285.550 when such general contractor or subcontractor contracts with its direct subcontractor who violates section 285.530.1, if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of section 285.530.1 and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to the fact that the direct subcontractor's employees are lawfully present in the United States.
10. I understand that if the applicant is found to have employed an unauthorized alien, applicant may subject to penalties pursuant to Sections 135.815, 285.025, and 285.535, RSMo.

11. I certify that (check the applicable box):

☐ I have included a copy of the executed E-Verify Program for Employment Verification Memorandum of Understanding between the company/organization and the Department of Homeland Security, United States Citizenship and Immigration Services (DHS-USCIS) and Social Security Administration.

☐ I am not a business entity as defined in Section 285.525 (1) RSMo. Section 285.525(1) defines business entity as "any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage or livelihood. The term "business entity" shall include but not be limited to self-employed individuals, partnerships, corporations, contractors, and subcontractors. The term "business entity" shall include any business entity that possesses a business permit, license, or tax certificate, issued by the state, any business entity that is exempt by law from obtaining such a business permit, any business entity that is operating unlawfully without such a business permit. The term "business entity" shall not include a self-employed individual with no employees or entities utilizing the services of direct sellers as defined in subdivision (17) of subsection 12 of section 288.034, RSMo."

12. By submitting this application, I acknowledge that the applicant shall comply with Amateur Sporting Events Tax Credit Program requirements. I further acknowledge that the applicant's failure to comply with the Program requirements shall result in the return to DED of any remaining unexpended tax credit proceeds and repayment to DED the monetary value of any expended tax credit proceeds.

13. I certify under penalties of perjury that the above statements, information contained in the application and attachments are complete, true, and correct to the best of my knowledge. I also realize that failure to disclose material information regarding the applicant, its owners, or any other pertinent facts may result in criminal prosecution.

APPLICANT SIGNATURE	PRINT NAME	TITLE	DATE
NOTARY PUBLIC EMBOSSER SEAL	On this ____ day of _____, 20____, appeared _____ to me personally known to be the person who executed the above certification, and acknowledges and states on his/her oath to me that he/she executed the same for the purpose therein stated.		
	STATE OF _____		COUNTY _____
	NOTARY PUBLIC NAME _____	MY COMMISSION EXPIRES _____	USE RUBBER STAMP IN AREA BELOW
	NOTARY PUBLIC SIGNATURE _____		

APPLICATION INSTRUCTIONS:
Project Proposal

1. APPLICANT INFORMATION:

Name: Provide the name of the individual or entity that is filing the application and will receive the tax credits. The tax credit certificate will be issued to the individual or entity entered as the applicant.

Type of Entity:

- If the applicant is a business entity, complete the appropriate information on the left. Check the appropriate box indicating the type of entity. Supply the name of an authorized company official and the address. Enter the entity's Taxpayer Identification Number. Supply the appropriate NAICS code (see Definitions in Guidelines). Enter the authorized company official's email address, if available. List the property owner.
- If the applicant is an individual, complete the appropriate information on the right. Check the appropriate box indicating if the individual is the property owner. Enter the individual's contact information. Supply the individual's Social Security Number and spouse's Social Security Number, if applicable. Enter the applicant's email address, if available. If the individual requesting tax credits is not the property owner, please list the owner.
- **Special Note:** For entities with flow through tax treatment (e.g., partnerships, S-corporations, etc.), on a separate sheet include the name, address, and social security number or taxpayer ID number for all persons or entities with an ownership interest. Provide the percentage ownership interest for each taxpayer as of the time of the application. If the tax credits are to be certified other than pro rata according to the proportion of ownership interest, attach an executed agreement among the partners, members, or owners documenting the alternate distribution method.

2. PROJECT CONTACT:

Applicant/Owner/Other: Check the appropriate box and specify the name and contact information of the contact person. The Project Contact may be the applicant or a third-party contact. All correspondence from DED will be sent to the Project Contact.

3. SPORTING EVENT INFORMATION:

Note: If more than one Sporting Event is being applied for, please include a separate spreadsheet listing each separate Sporting Event. The spreadsheet should list all information in this section for each Sporting Event.

Type of Event: Please list the sport that will be played at the Sporting Event.

Address: Enter the address of the project site, including city/town, state, zip code, and county.

Event Date: Please list the date that the sporting event will be held. If no exact date for the event has been given, please give the narrowest possible range of dates.

4. EXPECTED MISSOURI VENUE PREPERATION ACTIVITIES:

Note: Not all venue preparation activities are Eligible Costs. We are asking for this information in order to better gauge the economic impact of the Sporting Event upon the state. If you need additional space, please feel free to add additional pages. With all categories listed, we are looking for money that will be spent in Missouri. Please provide a brief description of the activity to be performed in the appropriate space provided.

Dates of Venue Preparation: List the date range for the preparation activities.

Supporting Documentation: Please provide the documents showing how the Expected Missouri Venue Preparation Activities were calculated. Relevant documents could include historical figures from previous events, site studies, or other documents showing the methodology used to determine expected costs of the Sporting Event.

5. EXPECTED EVENT COSTS:

Note: Not all event costs are Eligible Costs. We are asking for this information in order to better gauge the economic impact of the Sporting Event upon the state. If you need additional space, please feel free to add additional pages. With all categories listed, we are looking for money that will be spent in Missouri. Please provide a brief description of the activity to be performed in the appropriate space provided.

Supporting Documentation: Please provide the documents showing how the expected event costs were calculated. Relevant documents could include historical figures from previous events, site studies, or other documents showing the methodology used to determine expected costs of the Sporting Event.

6. EXPECTED EVENT TICKET AND ATTENDANCE INFORMATION:

Expected Attendance: The total number of spectators (including spectators paying less than Face Value for their tickets) expected at the event.

Estimated Local Attendees: The total number of spectators expected to come from within a ninety miles radius of the Sporting Event.

Estimated Out-of-State Attendees: The total number of spectators expected to come from out of state.

Estimated Average Ticket Sales Price: The average Face Value of all tickets to be sold at the Sporting Event.

Estimated Tickets Sold at Face Value: The total number of tickets sold for Face Value, as defined in the definitions section of the Guidelines.

Supporting Documentation: Please provide documents showing how the expected attendance figures were calculated.

7. USE OF PROPERTY:

Anticipated Number of Jobs Created: Enter the number of jobs expected to be created as a result of the Tax Credits, this number should include new construction, full time permanent, and part time permanent jobs.

New Construction Jobs: Construction-related jobs created as a result of the Tax Credits.

Full-Time Permanent Jobs: Full-time permanent jobs created as a result of the Tax Credits, should not include full-time equivalent jobs made up of several part-time jobs.

Part-Time Permanent Jobs: Part-time permanent jobs created as a result of the Tax Credits.

8. EXPECTED VISITOR EVENT SPENDING:

Note: We are asking for this information in order to better gauge the economic impact of the Sporting Event upon the state. If you need additional space, please feel free to add additional pages. With all categories listed, we are looking for money that will be spent at the Event Location and during the period immediately before, during, and after the Sporting Event. Please provide a brief description of the activity to be performed in the appropriate space provided.

Supporting Documentation: Please provide documents showing how the expected visitor event spending figures were calculated. Relevant documents could include historical figures from previous events, site studies, or other documents showing the methodology used to determine expected visitor event spending.

9. EXPECTED VISITOR SPENDING:

Note: We are asking for this information in order to better gauge the economic impact of the Sporting Event upon the state. If you need additional space, please feel free to add additional pages. With all categories listed, we are looking for money that will be spent outside the Location of the Sporting Event. Please provide a brief description of the activity to be performed in the appropriate space provided.

Supporting Documentation: Please provide documents showing how the expected visitor event figures were calculated. Relevant documents could include historical figures from previous events, site studies, or other documents showing the methodology used to determine expected visitor spending.

10. TOTAL NUMBER OF REQUESTED TAX CREDITS:

Eligible Costs: List the estimated dollar value for all expected eligible costs.

Estimated Tickets Sold at Face Value: List the estimated number of Sporting Event tickets that will be sold at Face Value.

Number of Tickets Multiplied by \$5: Multiply the number of Estimated Tickets Sold at Face Value by \$5.

Maximum Tax Credits: Take the lesser of Eligible Costs and the Number of Tickets Multiplied by \$5.

11. PARTICIPATING IN THE E-VERIFY PROGRAM?

Please indicate yes or no. Participation in the E-Verify Program is a prerequisite of receiving ASTCP tax credits.

12. ADDITIONAL DOCUMENTS REQUIRED:

A copy of the Support Contract for the Sporting Event: Please submit the event award notification, Joinder Undertaking, Joinder Agreement, or contract executed by an Applicant and a Site Selection Organization

Back-up documentation: See the individual Supporting Documentation listings under the individual sections above.

A copy of the Memorandum of Understanding for the E-Verify Program: The Memorandum of Understanding must be properly executed by the Applicant.

A copy of the Sources and Uses for the Sporting Event: The Applicant must show the available funds that will be used to conduct the Sporting Event, along with all projected expenses associated with the Sporting Event.

Executed financing agreements: The agreements can take the form of letters of credit, bank statements, or other documents showing that the project will have sufficient funding to take place.

13. OTHER INCENTIVES USED:

Are there other State of Missouri tax credits being applied toward this project? Select the appropriate box. If "Yes," please indicate which programs are applicable. If no other programs are being applied to the project, check "No."

14. ASTCP – APPLICANT CERTIFICATION:

Must be signed and notarized.

AUTHORITY: section 67.3000, RSMo Supp. 2013. Emergency rule filed Oct. 28, 2013, effective Nov. 7, 2013, expires May 5, 2014.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 85—Division of Business and Community
Services
Chapter 9—Amateur Sporting Tax Credit Program**

EMERGENCY RULE

4 CSR 85-9.040 Event Notification

PURPOSE: This rule explains the application process used in connection to the Amateur Sporting Tax Credit Program.

*EMERGENCY STATEMENT: Because section 67.3000, RSMo, caused the Amateur Sporting Tax Credit Program to become effective as of August 28, 2013, this emergency rule is necessary to implement this legislation, and ensures an orderly administration of the limitations on annual issuances under this program. Should this rule not be enacted, the Amateur Sporting Tax Credit Program cannot be implemented, as section 67.3000, RSMo, requires applicants to submit documentation in a manner prescribed by the Department of Economic Development. The Department of Economic Development cannot prescribe a manner of documentation that is generally applicable without first implementing rules. Failure on the part of the Department of Economic Development to implement these rules will result in a loss of economic activity in the state, as applicants will lose out on opportunities to bid on placement of competitively bid sporting events in the state. Therefore the Department of Economic Development finds a compelling governmental interest exists which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections in the **Missouri and United States Constitutions**. The Department of Economic Development believes this emergency rule is fair to all interested parties under these circumstances. This emergency rule was filed October 28, 2013, becomes effective November 7, 2013, and expires May 5, 2014.*

- (1) The following will be included as part of the event notification:
 - (A) The Event Notification Form, included herein; and
 - (B) The schedule of prices for the sporting event.
- (2) The department reserves the right to request additional documentation in order to approve or deny the event notification.
- (3) In making its decision to approve or deny the event notification, the department will determine if the event date is in the same fiscal year as the event date presented in the project proposal.



ASTCP EVENT NOTIFICATION

LOG NUMBER

AMATEUR SPORTING TAX CREDIT PROGRAM EVENT NOTIFICATION

1a. APPLICANT INFORMATION (PERSON OR ENTITY CLAIMING THE TAX CREDIT)

NAME OF INDIVIDUAL OR ENTITY

1b. TYPE OF ENTITY

IF APPLICANT IS A BUSINESS ENTITY:

Partnership

☐ General☐ Limited

Corporation

☐ Regular☐ Subchapter S☐ Trust☐ LLC

IF APPLICANT IS AN INDIVIDUAL TAXPAYER:

☐ Property Owner☐ Other (specify) _____

NAME OF AUTHORIZED COMPANY OFFICIAL

TITLE

MAILING ADDRESS

BUSINESS ADDRESS

CITY/TOWN

CITY/TOWN

STATE

ZIP CODE

STATE

ZIP CODE

TELEPHONE

FAX

TELEPHONE

FAX

TAXPAYER IDENTIFICATION NUMBER (OR SOCIAL SECURITY NUMBER)

SOCIAL SECURITY NUMBER

NAICS CODE (See Definitions in Guidelines)

BUSINESS SIZE (Number of Employees
Including Company Owners)

SPOUSE SOCIAL SECURITY NUMBER (if applicable)

EMAIL ADDRESS

EMAIL ADDRESS

HAS THE ENTITY/INDIVIDUAL (1a) EVER BEEN CONVICTED OF A VIOLATION OF THE LAWS OF ANY STATE AND, OR FEDERAL LAW?

☐ YES ☐ NO

IF YES, PROVIDE THE DATE, THE COURT, THE CHARGES AT DISPOSITION AND THE CASE NUMBER.

2. PROJECT CONTACT

☐ Applicant ☐ Owner ☐ Other (Consultant, etc.)

NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

TELEPHONE

EMAIL ADDRESS

FAX

HAS THE 'CONTACT' EVER BEEN CONVICTED OF A VIOLATION OF THE LAWS OF ANY STATE AND, OR FEDERAL LAW?

☐ YES ☐ NO

IF YES, PROVIDE THE DATE, THE COURT, THE CHARGES AT DISPOSITION AND THE CASE NUMBER.

3. TOTAL NUMBER OF REQUESTED TAX CREDITS

ELIGIBLE COSTS

AMOUNT

ESTIMATED TICKETS SOLD AT FACE VALUE (SECTION 6 ABOVE)

NUMBER OF TICKETS MULTIPLIED BY \$5

AMOUNT

MAXIMUM TAX CREDITS

AMOUNT

4. SPORTING EVENT INFORMATION (ATTACH ADDITIONAL PAGES IF NECESSARY)

TYPE OF EVENT		
EVENT ADDRESS		
CITY/TOWN	STATE	ZIP CODE
COUNTY		
EVENT DATE		

5. EXPECTED EVENT TICKET AND ATTENDANCE INFORMATION (ATTACH ADDITIONAL PAGES IF NEEDED)

EXPECTED ATTENDANCE	ESTIMATED LOCAL ATTENDEES
ESTIMATED OUT-OF-STATE ATTENDEES	ESTIMATED TICKETS SOLD AT FACE VALUE
ARE LOCAL SPORTS TEAMS LIKELY TO PARTICIPATE IN THE SPORTING EVENT?	IF SO, WHAT TEAMS?
PRICING TIER	EXPECTED NUMBER OF TICKETS SOLD AT FACE VALUE FOR THIS TIER
PRICING TIER	EXPECTED NUMBER OF TICKETS SOLD AT FACE VALUE FOR THIS TIER
PRICING TIER	EXPECTED NUMBER OF TICKETS SOLD AT FACE VALUE FOR THIS TIER

6. PARTICIPATING IN THE E-VERIFY PROGRAM?

IS THE APPLICANT (BUSINESS ENTITY) ENROLLED AND PARTICIPATING IN THE E-VERIFY PROGRAM?

☐ YES ☐ NO

Missouri statutes (Section 285.525-285.555, RSMo) require any business entity receiving a state-administered tax credit to participate in a federal work authorization program, which enables employers to electronically verify employment eligibility with respect to employees working in connection with the activities that qualify the applicant for this program.

To access the E-Verify website, go to: <https://e-verify.uscis.gov/enroll>

7. ADDITIONAL DOCUMENTS REQUIRED

PLEASE SUBMIT THE FOLLOWING ADDITIONAL DOCUMENTS:

☐ The schedule of prices for the Sporting Event.

8. USE OF PROPERTY

NUMBER OF JOBS CREATED AS A RESULT OF TAX CREDITS

NEW CONSTRUCTION JOBS	FULL-TIME PERMANENT	PART-TIME PERMANENT
-----------------------	---------------------	---------------------

9. OTHER INCENTIVES USED

ARE THERE OTHER LOCAL, FEDERAL, STATE OF MISSOURI TAX CREDITS OR GRANTS BEING APPLIED TOWARD THIS PROJECT?

☐ YES ☐ NO

IF YES, WHICH FEDERAL OR STATE PROGRAM? (SPECIFY AMOUNT IN SPACE PROVIDED.)

<input type="checkbox"/> Missouri Housing Development Commission \$ _____	<input type="checkbox"/> Brownfield \$ _____
<input type="checkbox"/> Enterprise Zone \$ _____	<input type="checkbox"/> New Business Facility \$ _____
<input type="checkbox"/> Federal Historic Preservation \$ _____	<input type="checkbox"/> Neighborhood Assistance \$ _____
<input type="checkbox"/> Neighborhood Preservation \$ _____	<input type="checkbox"/> Youth Opportunity \$ _____
<input type="checkbox"/> Local Community Development Block Grant \$ _____	<input type="checkbox"/> Community Development Block Grant \$ _____
<input type="checkbox"/> Other (please specify program(s) and amount) _____	

10. ASTCP -- APPLICANT CERTIFICATION

1. I certify that I am an authorized representative of the applicant and, as such, am authorized to make the statement of affirmation contained herein.
2. The information submitted by the applicant to DED in connection with this application are true and correct and such information is consistent with documents provided to lenders, other government programs, or investors. The applicant hereby authorizes DED to verify such information.
3. Neither the applicant, nor any individual with an ownership interest in the applicant:
 - a. Has committed a felony, is currently under indictment or charged with a felony, or is currently on parole or probation;
 - b. Is delinquent with respect to any non-protested federal, state or local taxes or fees;
 - c. Has filed, or is preparing to file, for bankruptcy, unless otherwise disclosed to DED; or
 - d. Has failed to fulfill any obligation under any other state or federal program, including a failure to pay as agreed any accrual upon which tax credits were issued.
4. I will inform DED, if at any time before project completion, there is any change to the certifications made in paragraphs 3(a) through 3(d) of this statement of affirmation.
5. The applicant, and any vendors the applicant will utilize to perform the work associated with the project, are registered and in good standing with the Missouri Secretary of State's Office.
6. The applicant agrees to comply with any and all agreements made pursuant to the project, upon which tax credits are issued.
7. I certify that the applicant does NOT knowingly employ any person who is an unauthorized alien and that the applicant has complied with federal law (8 U.S.C. § 1324a) requiring the examination of an appropriate document or documents to verify that each individual is not an unauthorized alien.
8. I certify that applicant is enrolled and will participate in a federal work authorization program as defined in Section 285.525(6), RSMo., with respect to employees working in connection with the activities that qualify applicant for this program. I certify that the applicant will maintain and, upon request, provide to DED documentation demonstrating applicant's participation in a federal work authorization program with respect to employees working in connection with the activities that qualify applicant for this program.
9. The applicant understands that, pursuant to section 285.530.5, RSMo, a general contractor or subcontractor of any tier shall not be liable under sections 285.525 to 285.550 when such general contractor or subcontractor contracts with its direct subcontractor who violates section 285.530.1, if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of section 285.530.1 and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to the fact that the direct subcontractor's employees are lawfully present in the United States.
10. I understand that if the applicant is found to have employed an unauthorized alien, applicant may subject to penalties pursuant to Sections 135.815, 285.025, and 285.535, RSMo.

11. I certify that (check the applicable box):

☐ I have included a copy of the executed E-Verify Program for Employment Verification Memorandum of Understanding between the company/organization and the Department of Homeland Security, United States Citizenship and Immigration Services (DHS-USCIS) and Social Security Administration.

☐ I am not a business entity as defined in Section 285.525 (1) RSMo. Section 285.525(1) defines business entity as "any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage or livelihood. The term "business entity" shall include but not be limited to self-employed individuals, partnerships, corporations, contractors, and subcontractors. The term "business entity" shall include any business entity that possesses a business permit, license, or tax certificate, issued by the state, any business entity that is exempt by law from obtaining such a business permit, any business entity that is operating unlawfully without such a business permit. The term "business entity" shall not include a self-employed individual with no employees or entities utilizing the services of direct sellers as defined in subdivision (17) of subsection 12 of section 288.034, RSMo."

12. By submitting this application, I acknowledge that the applicant shall comply with Amateur Sporting Events Tax Credit Program requirements. I further acknowledge that the applicant's failure to comply with the Program requirements shall result in the return to DED of any remaining unexpended tax credit proceeds and repayment to DED the monetary value of any expended tax credit proceeds.

13. I certify under penalties of perjury that the above statements, information contained in the application and attachments are complete, true, and correct to the best of my knowledge. I also realize that failure to disclose material information regarding the applicant, its owners, or any other pertinent facts may result in criminal prosecution.

APPLICANT SIGNATURE	PRINT NAME	TITLE	DATE
NOTARY PUBLIC EMBOSSEER SEAL	On this ____ day of _____, 20____, appeared _____ to me personally known to be the person who executed the above certification, and acknowledges and states on his/her oath to me that he/she executed the same for the purpose therein stated.		
	STATE OF _____		COUNTY _____
	NOTARY PUBLIC NAME _____	MY COMMISSION EXPIRES _____	USE RUBBER STAMP IN AREA BELOW
	NOTARY PUBLIC SIGNATURE _____		

APPLICATION INSTRUCTIONS: FORM 2 – FINAL APPROVAL**APPLICATION INSTRUCTIONS:**
Event Notification**1. APPLICANT INFORMATION:**

Name: Provide the name of the individual or entity that is filing the application and will receive the tax credits. The tax credit certificate will be issued to the individual or entity entered as the applicant.

Type of Entity:

- If the applicant is a business entity, complete the appropriate information on the left. Check the appropriate box indicating the type of entity. Supply the name of an authorized company official and the address. Enter the entity's Taxpayer Identification Number. Supply the appropriate NAICS code (see Definitions in Guidelines). Enter the authorized company official's email address, if available. List the property owner.
- If the applicant is an individual, complete the appropriate information on the right. Check the appropriate box indicating if the individual is the property owner. Enter the individual's contact information. Supply the individual's Social Security Number and spouse's Social Security Number, if applicable. Enter the applicant's email address, if available. If the individual requesting tax credits is not the property owner, please list the owner.
- **Special Note:** For entities with flow through tax treatment (e.g., partnerships, S-corporations, etc.), on a separate sheet include the name, address, and social security number or taxpayer ID number for all persons or entities with an ownership interest. Provide the percentage ownership interest for each taxpayer as of the time of the application. If the tax credits are to be certified other than pro rata according to the proportion of ownership interest, attach an executed agreement among the partners, members, or owners documenting the alternate distribution method.

2. PROJECT CONTACT:

Applicant/Owner/Other: Check the appropriate box and specify the name and contact information of the contact person. The Project Contact may be the applicant or a third-party contact. All correspondence from DED will be sent to the Project Contact.

3. TOTAL NUMBER OF REQUESTED TAX CREDITS:

Eligible Costs: List the estimated dollar value for all expected eligible costs.

Estimated Tickets Sold at Face Value: List the estimated number of Sporting Event tickets that will be sold at Face Value.

Number of Tickets Multiplied by \$5: Multiply the number of Estimated Tickets Sold at Face Value by \$5.

Maximum Tax Credits: Take the lesser of Eligible Costs and the Number of Tickets Multiplied by \$5.

4. SPORTING EVENT INFORMATION:

Note: If more than one Sporting Event is being applied for, please include a separate spreadsheet listing each separate Sporting Event. The spreadsheet should list all information in this section for each Sporting Event.

Type of Event: Please list the sport that will be played at the Sporting Event.

Address: Enter the address of the project site, including city/town, state, zip code, and county.

Event Date: Please list the specific date or dates when the sporting event(s) will be held. If an alternative date will be used for reasons such as inclement weather, please list such dates. The Event Notification must be submitted to the DED during the Event Notification Period as defined above. The Event Date Listed in the Event Notification must be consistent with the Event Date listed in the Project Proposal.

5. EXPECTED EVENT TICKET AND ATTENDANCE INFORMATION:

Expected Attendance: The total number of spectators (including spectators paying less than Face Value for their tickets) expected at the event.

Estimated Local Attendees: The total number of spectators expected to come from within a ninety miles radius of the Sporting Event.

Estimated Out-of-State Attendees: The total number of spectators expected to come from out of state.

Estimated Average Ticket Sales Price: The average Face Value of all tickets to be sold at the Sporting Event.

Estimated Tickets Sold at Face Value: The total number of tickets sold for Face Value, as defined in the definitions section of the Guidelines.

6. PARTICIPATING IN THE E-VERIFY PROGRAM?

Please indicate yes or no. Participation in the E-Verify Program is a prerequisite of receiving ASTCP tax credits.

7. ADDITIONAL DOCUMENTS REQUIRED:

Supporting Documentation: Please provide documents showing the pricing information for the Sporting Event.

8. USE OF PROPERTY:

Anticipated Number of Jobs Created: Enter the number of jobs expected to be created as a result of the Tax Credits, this number should include new construction, full time permanent, and part time permanent jobs.

New Construction Jobs: Construction-related jobs created as a result of the Tax Credits.

Full-Time Permanent Jobs: Full-time permanent jobs created as a result of the Tax Credits, should not include full-time equivalent jobs made up of several part-time jobs.

Part-Time Permanent Jobs: Part-time permanent jobs created as a result of the Tax Credits.

9. OTHER INCENTIVES USED:

Are there other State of Missouri tax credits being applied toward this project? Select the appropriate box. If "Yes," please indicate which programs are applicable. If no other programs are being applied to the project, check "No."

10. ASTCP – APPLICANT CERTIFICATION:

Must be signed and notarized.

AUTHORITY: section 67.3000, RSMo Supp. 2013. Emergency rule filed Oct. 28, 2013, effective Nov. 7, 2013, expires May 5, 2014.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 85—Division of Business and Community
Services**

Chapter 9—Amateur Sporting Tax Credit Program

EMERGENCY RULE

4 CSR 85-9.050 Final Application

PURPOSE: This rule explains the application process used in connection to the Amateur Sporting Tax Credit Program.

*EMERGENCY STATEMENT: Because section 67.3000, RSMo, caused the Amateur Sporting Tax Credit Program to become effective as of August 28, 2013, this emergency rule is necessary to implement this legislation, and ensures an orderly administration of the limitations on annual issuances under this program. Should this rule not be enacted, the Amateur Sporting Tax Credit Program cannot be implemented, as section 67.3000, RSMo, requires applicants to submit documentation in a manner prescribed by the Department of Economic Development. The Department of Economic Development cannot prescribe a manner of documentation that is generally applicable without first implementing rules. Failure on the part of the Department of Economic Development to implement these rules will result in a loss of economic activity in the state, as applicants will lose out on opportunities to bid on placement of competitively bid sporting events in the state. Therefore the Department of Economic Development finds a compelling governmental interest exists which requires this emergency action. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections in the **Missouri and United States Constitutions**. The Department of Economic Development believes this emergency rule is fair to all interested parties under these circumstances. This emergency rule was filed October 28, 2013, becomes effective November 7, 2013, and expires May 5, 2014.*

- (1) The following will be included as part of the final application:
 - (A) The Final Application Form, included herein;
 - (B) The Cost Certification Form;
 - (C) Documentation of qualified expenses; and
 - (D) Documents explaining the methodology and assumptions used in calculating the following estimates from the Project Proposal Form:
 1. The expected Missouri venue preparation activities;
 2. The event costs;
 3. The visitor sporting event spending; and
 4. The estimated visitor spending (outside the sporting event).
- (2) The department reserves the right to request additional documentation in order to approve or deny a final application.
- (3) In making its decision to approve or deny the final application, the department will consider the following factors:
 - (A) The net present value of the sporting event on Missouri's overall economy;
 - (B) The net present value of the sporting event upon Missouri state revenues;
 - (C) The extent to which the sporting event met the projections made in the project proposal;
 - (D) The opportunity costs associated with issuing tax credits on this project;

- (E) The retrospective desirability of the sporting event, including the extent to which there were any security issues involving the sporting event;
- (F) The probability of the sporting event having taken place in Missouri absent the award of tax credits;
- (G) The effectiveness and efficiency of the tax credits as a source of project funds net transaction costs; and
- (H) Whether the tax credits represented the least amount necessary to ensure project completion.



ASTCP FINAL APPLICATION
LOG NUMBER (OFFICIAL USE ONLY)

AMATEUR SPORTING TAX CREDIT PROGRAM FINAL APPLICATION FORM

1a. APPLICANT INFORMATION (PERSON OR ENTITY CLAIMING THE TAX CREDIT)					
NAME OF INDIVIDUAL OR ENTITY					
1b. TYPE OF ENTITY					
IF APPLICANT IS A BUSINESS ENTITY:			IF APPLICANT IS AN INDIVIDUAL TAXPAYER:		
Partnership <input type="checkbox"/> General <input type="checkbox"/> Limited		Corporation <input type="checkbox"/> Regular <input type="checkbox"/> Subchapter S <input type="checkbox"/> Trust <input type="checkbox"/> LLC		<input type="checkbox"/> Property Owner <input type="checkbox"/> Other (specify) _____	
NAME OF AUTHORIZED COMPANY OFFICIAL		TITLE		MAILING ADDRESS	
BUSINESS ADDRESS			CITY/TOWN		
CITY/TOWN		STATE	ZIP CODE	STATE	
TELEPHONE		FAX		TELEPHONE	
FAX		FAX		FAX	
TAXPAYER IDENTIFICATION NUMBER (OR SOCIAL SECURITY NUMBER)			SOCIAL SECURITY NUMBER		
NAICS CODE (See Definitions in Guidelines)		BUSINESS SIZE (Number of Employees Including Company Owners)		SPOUSE SOCIAL SECURITY NUMBER (if applicable)	
EMAIL ADDRESS			EMAIL ADDRESS		
HAS THE ENTITY/INDIVIDUAL (1a) EVER BEEN CONVICTED OF A VIOLATION OF THE LAWS OF ANY STATE AND, OR FEDERAL LAW? <input type="checkbox"/> YES <input type="checkbox"/> NO					
IF YES, PROVIDE THE DATE, THE COURT, THE CHARGES AT DISPOSITION AND THE CASE NUMBER.					
2. PROJECT CONTACT					
<input type="checkbox"/> Applicant <input type="checkbox"/> Owner <input type="checkbox"/> Other (Consultant, etc.)					
NAME					
ADDRESS					
CITY/TOWN			STATE		ZIP CODE
TELEPHONE		EMAIL ADDRESS		FAX	
HAS THE 'CONTACT' EVER BEEN CONVICTED OF A VIOLATION OF THE LAWS OF ANY STATE AND, OR FEDERAL LAW? <input type="checkbox"/> YES <input type="checkbox"/> NO					
IF YES, PROVIDE THE DATE, THE COURT, THE CHARGES AT DISPOSITION AND THE CASE NUMBER.					

3. SPORTING EVENT INFORMATION (ATTACH ADDITIONAL PAGES IF NECESSARY)			
TYPE OF EVENT			
EVENT ADDRESS			
CITY/TOWN		STATE	ZIP CODE
COUNTY			
EVENT DATE			
4. VENUE PREPERATION ACTIVITES (QUALIFIDE AND NON-QUALIFIED, ATTACH ADDITIONAL PAGES IF NECESSARY)			
DATES OF VENUE PREPARATION			
MAINTENANCE COSTS		AMOUNT	
CONSTRUCTION COSTS		AMOUNT	
RENTAL SERVICES		AMOUNT	
PROFESSIONAL SERVICES (LOCAL ADVERTISING)		AMOUNT	
PROFESSIONAL SERVICES (LOCAL LEGAL COSTS)		AMOUNT	
PROFESSIONAL SERVICES (LOCAL FINANCIAL COSTS)		AMOUNT	
PROFESSIONAL SERVICES (OTHER)		AMOUNT	
OTHER		AMOUNT	
TOATAL		TOTAL AMOUNT	
5. EVENT COSTS (ATTACH ADDITIONAL PAGES IF NECESSARY)			
SECURITY		AMOUNT	
RENTAL SERVICES (TYPE)		AMOUNT	
RENTAL SERVICES (TYPE)		AMOUNT	
PARKING		AMOUNT	
OTHER		AMOUNT	
OTHER		AMOUNT	
TOTAL		AMOUNT	
6. EVENT TICKET AND ATTENDANCE INFORMATION			
ATTENDANCE		ESTIMATED LOCAL ATTENDEES	
ESTIMATED OUT-OF-STATE ATTENDEES	AVERAGE TICKET SALES PRICE	TICKETS SOLD AT FACE VALUE	
7. USE OF PROPERTY			
NUMBER OF JOBS CREATED AS A RESULT OF TAX CREDITS			
NEW CONSTRUCTION JOBS	NEW CONSTRUCTION JOBS	NEW CONSTRUCTION JOBS	

8. VISITOR SPORTING EVENT SPENDING		
FOOD AND BEVERAGE		AMOUNT
MERCHANDISE		AMOUNT
OTHER		AMOUNT
TOTAL		AMOUNT

9. ESTIMATED VISITOR SPENDING (OUTSIDE OF THE SPORTING EVENT)		
RESTAURANTS		AMOUNT
HOTELS OR LOGING		AMOUNT
TRANSPORTATION (CAR RENTALS, GAS, ETC)		AMOUNT
OTHER ENTERTAINMENT		AMOUNT
OTHER		AMOUNT
TOTAL		AMOUNT

10. TOTAL NUMBER OF REQUESTED TAX CREDITS		
ELIGIBLE COSTS		AMOUNT
ESTIMATED TICKETS SOLD AT FACE VALUE (SECTION 6 ABOVE)	NUMBER OF TICKETS MULTIPLIED BY \$5	AMOUNT
MAXIMUM TAX CREDITS		AMOUNT

11. OTHER INCENTIVES USED	
<p>ARE THERE OTHER LOCAL, FEDERAL, STATE OF MISSOURI TAX CREDITS OR GRANTS BEING APPLIED TOWARD THIS PROJECT?</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IF YES, WHICH FEDERAL OR STATE PROGRAM? (SPECIFY AMOUNT IN SPACE PROVIDED.)</p> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <p><input type="checkbox"/> Missouri Housing Development Commission \$ _____</p> <p><input type="checkbox"/> Enterprise Zone \$ _____</p> <p><input type="checkbox"/> Federal Historic Preservation \$ _____</p> <p><input type="checkbox"/> Neighborhood Preservation \$ _____</p> <p><input type="checkbox"/> Local Community Development Block Grant \$ _____</p> <p><input type="checkbox"/> Other (please specify program(s) and amount) _____</p> </div> <div style="width: 50%;"> <p><input type="checkbox"/> Brownfield \$ _____</p> <p><input type="checkbox"/> New Business Facility \$ _____</p> <p><input type="checkbox"/> Neighborhood Assistance \$ _____</p> <p><input type="checkbox"/> Youth Opportunity \$ _____</p> <p><input type="checkbox"/> Community Development Block Grant \$ _____</p> </div> </div>	

12. PARTICIPATING IN THE E-VERIFY PROGRAM?	
<p>IS THE APPLICANT (BUSINESS ENTITY) ENROLLED AND PARTICIPATING IN THE E-VERIFY PROGRAM?</p> <p><input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Missouri statutes (Section 285.525-285.555, RSMo) require any business entity receiving a state-administered tax credit to participate in a federal work authorization program, which enables employers to electronically verify employment eligibility with respect to employees working in connection with the activities that qualify the applicant for this program.</p> <p>To access the E-Verify website, go to: https://e-verify.uscis.gov/enroll</p>	

13. ADDITIONAL DOCUMENTS REQUIRED	
<p>PLEASE SUBMIT THE FOLLOWING ADDITIONAL DOCUMENTS:</p> <p><input type="checkbox"/> Back-up documentation showing the how the totals for Sections 4 – 8 were arrived at. To the extent practical, the totals for Sections 4 – 8 should reflect actual information gathered, and not estimates.</p> <p><input type="checkbox"/> A copy of the Cost Certification Form</p> <p><input type="checkbox"/> Backup documentation for the expenses claimed on the Cost Certification Form.</p>	

14. ASTCP - APPLICANT CERTIFICATION

1. I certify that I am an authorized representative of the applicant and, as such, am authorized to make the statement of affirmation contained herein.
2. The information submitted by the applicant to DED in connection with this application are true and correct and such information is consistent with documents provided to lenders, other government programs, or investors. The applicant hereby authorizes DED to verify such information.
3. Neither the applicant, nor any individual with an ownership interest in the applicant:
 - a. Has committed a felony, is currently under indictment or charged with a felony, or is currently on parole or probation;
 - b. Is delinquent with respect to any non-protested federal, state or local taxes or fees;
 - c. Has filed, or is preparing to file, for bankruptcy, unless otherwise disclosed to DED; or
 - d. Has failed to fulfill any obligation under any other state or federal program, including a failure to pay as agreed any accrual upon which tax credits were issued.
4. I will inform DED, if at any time before project completion, there is any change to the certifications made in paragraphs 3(a) through 3(d) of this statement of affirmation.
5. The applicant, and any vendors the applicant will utilize to perform the work associated with the project, are registered and in good standing with the Missouri Secretary of State's Office.
6. The applicant agrees to comply with any and all agreements made pursuant to the project, upon which tax credits are issued.
7. I certify that the applicant does NOT knowingly employ any person who is an unauthorized alien and that the applicant has complied with federal law (8 U.S.C. § 1324a) requiring the examination of an appropriate document or documents to verify that each individual is not an unauthorized alien.
8. I certify that applicant is enrolled and will participate in a federal work authorization program as defined in Section 285.525(6), RSMo., with respect to employees working in connection with the activities that qualify applicant for this program. I certify that the applicant will maintain and, upon request, provide to DED documentation demonstrating applicant's participation in a federal work authorization program with respect to employees working in connection with the activities that qualify applicant for this program.
9. The applicant understands that, pursuant to section 285.530.5, RSMo, a general contractor or subcontractor of any tier shall not be liable under sections 285.525 to 285.550 when such general contractor or subcontractor contracts with its direct subcontractor who violates section 285.530.1, if the contract binding the contractor and subcontractor affirmatively states that the direct subcontractor is not knowingly in violation of section 285.530.1 and shall not henceforth be in such violation and the contractor or subcontractor receives a sworn affidavit under the penalty of perjury attesting to the fact that the direct subcontractor's employees are lawfully present in the United States.
10. I understand that if the applicant is found to have employed an unauthorized alien, applicant may subject to penalties pursuant to Sections 135.815, 285.025, and 285.535, RSMo.

11. I certify that (check the applicable box):

☐ I have included a copy of the executed E-Verify Program for Employment Verification Memorandum of Understanding between the company/organization and the Department of Homeland Security, United States Citizenship and Immigration Services (DHS-USCIS) and Social Security Administration.

☐ I am not a business entity as defined in Section 285.525 (1) RSMo. Section 285.525(1) defines business entity as "any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage or livelihood. The term "business entity" shall include but not be limited to self-employed individuals, partnerships, corporations, contractors, and subcontractors. The term "business entity" shall include any business entity that possesses a business permit, license, or tax certificate, issued by the state, any business entity that is exempt by law from obtaining such a business permit, any business entity that is operating unlawfully without such a business permit. The term "business entity" shall not include a self-employed individual with no employees or entities utilizing the services of direct sellers as defined in subdivision (17) of subsection 12 of section 288.034, RSMo."

12. By submitting this application, I acknowledge that the applicant shall comply with Amateur Sporting Events Tax Credit Program requirements. I further acknowledge that the applicant's failure to comply with the Program requirements shall result in the return to DED of any remaining unexpended tax credit proceeds and repayment to DED the monetary value of any expended tax credit proceeds.

13. I certify under penalties of perjury that the above statements, information contained in the application and attachments are complete, true, and correct to the best of my knowledge. I also realize that failure to disclose material information regarding the applicant, its owners, or any other pertinent facts may result in criminal prosecution.

APPLICANT SIGNATURE	PRINT NAME	TITLE	DATE
NOTARY PUBLIC EMBOSSEER SEAL	On this ____ day of _____, 20____, appeared _____ to me personally known to be the person who executed the above certification, and acknowledges and states on his/her oath to me that he/she executed the same for the purpose therein stated.		
	STATE OF _____		COUNTY _____
	NOTARY PUBLIC NAME _____	MY COMMISSION EXPIRES _____	USE RUBBER STAMP IN AREA BELOW
	NOTARY PUBLIC SIGNATURE _____		

APPLICATION INSTRUCTIONS:
FINAL APPLICATION**1. APPLICANT INFORMATION:**

Name: Provide the name of the individual or entity that is filing the application and will receive the tax credits. The tax credit certificate will be issued to the individual or entity entered as the applicant.

Type of Entity:

- If the applicant is a business entity, complete the appropriate information on the left. Check the appropriate box indicating the type of entity. Supply the name of an authorized company official and the address. Enter the entity's Taxpayer Identification Number. Supply the appropriate NAICS code (see Definitions in Guidelines). Enter the authorized company official's email address, if available. List the property owner.
- If the applicant is an individual, complete the appropriate information on the right. Check the appropriate box indicating if the individual is the property owner. Enter the individual's contact information. Supply the individual's Social Security Number and spouse's Social Security Number, if applicable. Enter the applicant's email address, if available. If the individual requesting tax credits is not the property owner, please list the owner.
- **Special Note:** For entities with flow through tax treatment (e.g., partnerships, S-corporations, etc.), on a separate sheet include the name, address, and social security number or taxpayer ID number for all persons or entities with an ownership interest. Provide the percentage ownership interest for each taxpayer as of the time of the application. If the tax credits are to be certified other than pro rata according to the proportion of ownership interest, attach an executed agreement among the partners, members, or owners documenting the alternate distribution method.

2. PROJECT CONTACT:

Applicant/Owner/Other: Check the appropriate box and specify the name and contact information of the contact person. The Project Contact may be the applicant or a third-party contact. All correspondence from DED will be sent to the Project Contact.

3. SPORTING EVENT INFORMATION:

Note: If more than one Sporting Event is being applied for, please include a separate spreadsheet listing each separate Sporting Event. The spreadsheet should list all information in this section for each Sporting Event.

Type of Event: Please list the sport that has been played at the Sporting Event.

Address: Enter the address of the project site, including city/town, state, zip code, and county.

Event Date: Please list the date that the Sporting Event was held.

4. VENUE PREPERATION ACTIVITIES:

Note: Not all venue preparation activities are Eligible Costs. We are asking for this information in order to better gauge the economic impact of the Sporting Event upon the state. If you need additional space, please feel free to add additional pages. With all categories listed, we are looking for money that was spent in Missouri. Please provide a brief description of the activity that had been performed in the appropriate space provided.

Dates of Venue Preparation: List the date range for the preparation activities.

Supporting Documentation: Please provide the documents showing how the Expected Missouri Venue Preparation Activities were calculated. Relevant documents could include internal spreadsheets, income/loss statements, or other documents made during the regular course of business.

5. EXPECTED EVENT COSTS:

Note: Not all event costs are Eligible Costs. We are asking for this information in order to better gauge the economic impact of the Sporting Event upon the state. If you need additional space, please feel free to add additional pages. With all categories listed, we are looking for money that was spent in Missouri. Please provide a brief description of the activities performed in the appropriate space provided.

Supporting Documentation: Please provide the documents showing how the expected event costs were calculated. Relevant documents could include internal spreadsheets, income/loss statements, or other documents made during the regular course of business.

6. EVENT TICKET AND ATTENDANCE INFORMATION:

Attendance: The total number of spectators (including spectators paying less than face value for their tickets) at the event.

Estimated Local Attendees: The total number of spectators expected to come from within a ninety miles radius of the Sporting Event.

Estimated Out-of-State Attendees: The total number of spectators expected to come from out of state.

Average Ticket Sales Price: The average Face Value of all tickets to be sold at the Sporting Event.

Tickets Sold at Face Value: The total number of tickets sold for Face Value, as defined in the definitions section of the Guidelines.

Supporting Documentation: Please provide documents showing how the expected attendance figures were calculated.

7. USE OF PROPERTY:

Anticipated Number of Jobs Created: Enter the number of jobs expected to be created as a result of the Tax Credits, this number should include new construction, full time permanent, and part time permanent jobs.

New Construction Jobs: Construction-related jobs created as a result of the Tax Credits.

Full-Time Permanent Jobs: Full-time permanent jobs created as a result of the Tax Credits, should not include full-time equivalent jobs made up of several part-time jobs.

Part-Time Permanent Jobs: Part-time permanent jobs created as a result of the Tax Credits.

8. VISITOR EVENT SPENDING:

Note: We are asking for this information in order to better gauge the economic impact of the Sporting Event upon the state. If you need additional space, please feel free to add additional pages. With all categories listed, we are looking for money that will be spent at the Event Location and during the period immediately before, during, and after the Sporting Event. Please provide a brief description of the activity to be performed in the appropriate space provided.

Supporting Documentation: Please provide documents showing how the expected visitor event spending figures were calculated. Relevant documents could include historical figures from previous events, site studies, or other documents showing the methodology used to determine expected visitor event spending.

9. ESTIMATED VISITOR SPENDING:

Note: We are asking for this information in order to better gauge the economic impact of the Sporting Event upon the state. If you need additional space, please feel free to add additional pages. With all categories listed, we are looking for money that was spent outside the location of the Sporting Event. Please provide a brief description of the activity performed in the appropriate space provided.

Supporting Documentation: Please provide documents showing how the estimated visitor event figures were calculated. Relevant documents could include survey data, preliminary reports from local economic developers, or other documents showing the methodology used to determine estimate visitor spending.

10. TOTAL NUMBER OF REQUESTED TAX CREDITS:

Eligible Costs: List the estimated dollar value for all Eligible Costs.

Tickets Sold at Face Value: List the number of Sporting Event tickets sold at Face Value.

Number of Tickets Multiplied by \$5: Multiply the number of Tickets Sold at Face Value by \$5.

Maximum Tax Credits: Take the lesser of Eligible Costs and the Number of Tickets Multiplied by \$5.

11. OTHER INCENTIVES USED:

Are there other State of Missouri tax credits being applied toward this project? Select the appropriate box. If "Yes," please indicate which programs are applicable. If no other programs are being applied to the project, check "No."

12. PARTICIPATING IN THE E-VERIFY PROGRAM?

Please indicate yes, or no. Participation in the E-Verify Program is a prerequisite of receiving ASTCP tax credits.

13. ADDITIONAL DOCUMENTS REQUIRED:

Back-up documentation: See the individual Supporting Documentation listings under the individual sections above.

A Copy of the Cost Certification Form: The Cost Certification form should be created using the template provide in Appendixes A & B.

Backup Documentation for the Cost Certification Form: All costs listed on the Cost Certification Form must be supported by both an Invoice and Proof of Payment. All Pledged Obligations must also be supported by the Support Contract.

14. ASTCP – APPLICANT CERTIFICATION:

Must be signed and notarized.

Appendix B:
Template for Cost Certification
Pledged Obligations

Description of Expense	Specific Part of Support Contract Requiring this Expense	Method of Payment (Include Check No)	Date Paid	Payee	Payor	Total Amount of Expense

AUTHORITY: section 67.3000, RSMo Supp. 2013. Emergency rule filed Oct. 28, 2013, effective Nov. 7, 2013, expires May 5, 2014.

*AUTHORITY: section 32.065, RSMo 2000. Emergency rule filed Oct. 13, 1982, effective Oct. 23, 1982, expired Feb.19,1983. Original rule filed Nov. 5, 1982, effective Feb. 11, 1983. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Oct. 22, 2013, effective Jan. 1, 2014, expires June 29, 2014. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.*

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 41—General Tax Provisions**

EMERGENCY AMENDMENT

12 CSR 10-41.010 Annual Adjusted Rate of Interest. The director proposes to amend section (1).

PURPOSE: This emergency amendment establishes the annual adjusted rate of interest to be implemented and applied on taxes remaining unpaid during calendar year 2014.

*EMERGENCY STATEMENT: The director of revenue is mandated to establish not later than October 22 annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year as set by the Board of Governors of the Federal Reserve rounded to the nearest full percent. This emergency amendment is necessary to ensure public awareness and to preserve a compelling governmental interest requiring an early effective date in that the amendment informs the public of the established rate of interest to be paid on unpaid amounts of taxes for the 2014 calendar year. A proposed amendment, that covers the same material, is published in this issue of the **Missouri Register**. The director has limited the scope of the emergency amendment to the circumstances creating the emergency. The director has followed procedures calculated to assure fairness to all interested persons and parties and has complied with protections extended by the **Missouri** and **United States Constitutions**. Emergency amendment was filed October 22, 2013, becomes effective January 1, 2014, and expires June 29, 2014.*

(1) Pursuant to section 32.065, RSMo, the director of revenue upon official notice of the average predominant prime rate quoted by commercial banks to large businesses, as determined and reported by the Board of Governors of the Federal Reserve System in the Federal Reserve Statistical Release H.15(519) for the month of September of each year has set by administrative order the annual adjusted rate of interest to be paid on unpaid amounts of taxes during the succeeding calendar year as follows:

Calendar Year	Rate of Interest on Unpaid Amounts of Taxes
1995	12%
1996	9%
1997	8%
1998	9%
1999	8%
2000	8%
2001	10%
2002	6%
2003	5%
2004	4%
2005	5%
2006	7%
2007	8%
2008	8%
2009	5%
2010	3%
2011	3%
2012	3%
2013	3%
2014	3%

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 10—Commissioner of Education Chapter 2—Education Scholarships

PROPOSED RULE

5 CSR 10-2.010 Scholarship Granting Organizations

PURPOSE: This rule sets forth the requirements to qualify as a scholarship granting organization to grant scholarships permitted in section 135.1220, RSMo Supp. 2013 and the annual requirements, once approved.

(1) As used in this regulation, the following terms mean:

(A) Charitable organization. Any organization which is organized and operated for any charitable purpose and no part of the net earning of the organization inures to the benefit of any private shareholder

or individual member of the organization and is exempt from the payment of federal income taxes as provided in Section 501(c)(3) of the *Internal Revenue Code*;

(B) Eligible child as defined in section 135.1220.2(6), RSMo;

(C) Eligible student as defined in section 135.1220.2(7), RSMo.

(2) To qualify as a scholarship granting organization, an organization must submit to the Commissioner of Education (commissioner), by November 1 of the year prior to the school year for which scholarships will be granted, documentation which demonstrates that they—

(A) Are a charitable organization; and

(B) Are exempt from federal income tax; and

(C) Do not accept contributions from any donor on behalf of any child or student with the obligation to provide support to that child or student; and

(D) Intend to provide educational scholarships to eligible students attending qualified schools as defined in section 135.1220.2(11), RSMo; and/or

(E) Intend to provide scholarships to eligible children receiving services from qualified service providers as defined in section 135.1220.2(12), RSMo.

(3) Within thirty (30) days of applying to be a scholarship granting organization, and before any new board members are appointed or new employees hired, the scholarship granting organization, in cooperation with the Department of Elementary and Secondary Education (department), shall conduct a criminal background check of all employees and board of directors' members. No one shall be employed or serve on the board of directors if the background check shows they have been convicted within the previous five (5) years of a crime involving dishonesty, misappropriation of funds, theft, stealing, forgery, or fraud or are currently serving probation for a conviction of a crime involving dishonesty, misappropriation of funds, theft, stealing, forgery, or fraud.

(4) By February 1 of each year, the commissioner shall determine which organizations may be classified as scholarship granting organizations for the school year beginning July 1. The list of scholarship granting organizations shall be posted on the department's website.

(5) By March 1 of each year, scholarship granting organizations shall notify the department of its intent to provide scholarships.

(6) The scholarship granting organization shall provide each donor with a receipt in the format provided by the department for contributions made to the organization.

(A) Receipts issued by a scholarship granting organization before the commissioner has publicly announced that the child or student limit has been reached shall be valid.

(7) A scholarship granting organization may decline contributions from donors.

(8) By February 1 of each year, the scholarship granting organization shall submit to the department a list of each donor making a contribution in the prior calendar year.

(9) Within five (5) calendar days of the decision to award a scholarship to a child or student, the scholarship granting organization shall notify the commissioner of the name of the child or student, the age of the child or student, the street address of the child or student, the email address of the parent, the qualifying disability, and the amount awarded. Personally identifiable information about the child or student shall be treated as an educational record and not released to the public.

(10) Scholarship granting organizations shall distribute the scholarship payments as checks made out to the child's or student's parent and mailed to the qualified school or qualified service provider. The parent must endorse the check before it can be deposited.

(11) Scholarship granting organizations must have sufficient cash on hand on the date the scholarship is awarded to cover the total amount of scholarship.

(12) By June 1 of each year, the scholarship granting organization shall publicly report the following information to the department:

(A) The name and address of the scholarship granting organization; and

(B) The total number and total dollar amount of contributions during the previous calendar year; and

(C) The total number and total dollar amount of educational scholarships awarded during the previous calendar year to eligible students by qualifying disability; and

(D) The total number and total dollar amount of educational scholarships awarded during the previous calendar year to eligible children by qualifying disability; and

(E) The total number and total dollar amount of educational scholarships awarded during the previous calendar year to students eligible for free and reduced lunch; and

(F) The total number of schools and providers that had to provide documentation for using student, teacher, teaching, or school influences that has not been determined by analysis to rank in the desired zone of effect as evaluated by John Hattie as set forth in his book *Visible Learning* or subsequent published research.

(13) Annually, by August 1 of each year, each scholarship granting organization shall submit to the department an annual assurance statement assuring that—

(A) At least ninety percent (90%) of its revenue from donations are spent on educational scholarships;

(B) All revenues from interest or investment is spent on educational scholarships;

(C) Scholarships provided do not and will not exceed an average of fifty thousand dollars (\$50,000) per eligible student;

(D) Scholarships provided do not and will not exceed an average of twenty thousand dollars (\$20,000) per eligible child;

(E) Scholarships awarded are portable and can be used at any qualified school that accepts the student;

(F) Scholarships awarded are portable and can be used at any qualified service provider;

(G) Parents have been informed that accepting a scholarship releases the department and the local school district from the obligation to provide the student with a free appropriate public education for that school year; and

(H) All schools or service providers accepting scholarship funds from the scholarship granting organization shall—

1. Comply with all health and safety laws and codes that apply to nonpublic schools or service providers;

2. Hold a valid occupancy permit if required by the municipality where located;

3. Provide academic accountability to parents by reporting at least quarterly to parents on the child's or student's progress;

4. Adhere to the recommendations of the Missouri Autism Guideline Initiative when serving a child or student with a diagnosis of autism spectrum disorder or an Individualized Education Program (IEP) based on autism spectrum disorder;

5. Not use any interventions with a child or student with a diagnosis of autism spectrum disorder or an IEP based on autism spectrum disorder that have been found ineffective by the commission on Medicare as described in the Missouri Autism Guidelines Initiative Guide to Evidence-based Interventions;

6. Provide documentation in the child's or student's record of the rationale for using any intervention that is categorized as unestab-

lished, insufficient evidence, or level three (3) by the Missouri Autism Guidelines Initiative Guide to Evidence-based Interventions;

7. When providing education services or behavior strategies to a scholarship recipient with a diagnosis of Down syndrome, Angelman syndrome, or cerebral palsy, use student, teacher, teaching, and school influences that rank in the zone of desired effects as evaluated by John Hattie or document to the scholarship granting organization why it used a method not in the zone of desired effects;

8. When providing education services or behavior strategies to a scholarship recipient with an individualized family services program based on Down syndrome, Angelman syndrome, or cerebral palsy, use the teaching methods that rank in the zone of desired effects as evaluated by John Hattie or document to the scholarship granting organization why it used a method not in the zone of desired effects.

(14) Annually, by August 1 of each year, each scholarship granting organization shall demonstrate its financial accountability by submitting to the department—

(A) A financial information report prepared by a certified public accountant (CPA) that complies with Generally Accepted Accounting Principles (GAAP); and

(B) Certification from an auditor that the financial information report is free from material misstatements.

(15) By August 1 of each year, any scholarship granting organization willing to receive donations in excess of fifty thousand dollars (\$50,000) per year, shall demonstrate its financial viability by filing with the department—

(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(B) Financial information that demonstrates the financial viability of the scholarship granting organizations including financial statements prepared in accordance with Generally Accepted Accounting Principles (GAAP).

(16) Annually, by April 1 of each year, the scholarship granting organization shall survey scholarship recipients and their parents. Results of the survey shall be made available to the department on request. The survey should determine—

(A) Children's or students' satisfaction with the program;

(B) Parent's satisfaction with the program;

(C) Whether the students were bullied or harassed in their current placement and in their prior placement because of their autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy, using the definitions of bullied and harassed found in section 160.775, RSMo;

(D) The class size of the current school; and

(E) Whether the student exhibited behavior problems at their current placement which had been identified in the last IEP, and, if so, how frequently.

(17) The department may hold a hearing seeking to bar a scholarship granting organization from participating in the scholarship program if the department believes the scholarship granting organization has intentionally and substantially failed to comply with statutory and regulatory requirements—

(A) The hearing will be held by the commissioner or the commissioner's designee;

(B) The department has the burden to prove the intentional violation of the statutes or regulations;

(C) A decision shall be issued within thirty (30) days of the conclusion of the hearing;

(D) A scholarship qualifying organization barred from the program can appeal the commissioner's or commissioner's designee's decision to the administrative hearing commission;

(E) If the scholarship granting organization is barred from participating in the program, the department shall notify affected scholarship children or students and their parents of the decision within fifteen (15) days.

AUTHORITY: sections 135.1220.12 and 161.092, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities twenty-five thousand three hundred seventy-six dollars and fifty cents (\$25,376.50) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Cynthia Quetsch, PO Box 480, Jefferson City, MO 65102-0480 or by email at Bryceslaw@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PRIVATE COST**

- I. Department Title:** Title 5-Department of Elementary and Secondary Education
Division Title: Division 10-Commissioner of Education
Chapter: Chapter 2-Education Scholarships

Rule Number and Title:	5 CSR 10-2.010 Scholarship Granting Organizations
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
5 scholarship granting organizations	Not for profit	

III. WORKSHEET

Cost	Item description
\$ 700.00	Submission of application- postage and copy costs
\$ 1,344.00	Background checks for employees and board of directors 5 orgs X 6 checks X \$44.80
\$ 5.00	Notification of intent to provide scholarship - postage and copy cost
\$ 1,000.00	Giving receipt to each donor 1,000 donors
\$ 5.00	Annual notification to Department of list of donors postage and copy cost
\$ 700.00	Notification to Commissioner when each scholarship is awarded postage and copy costs
\$ 17.50	Mail copy of annual report 5 X 3.50
\$ 5.00	Submission of annual assurance statement
\$ 200.00	Annual financial information report 5 X 40
\$ 200.00	Certification from auditor that financial report is accurate 5 X 40
\$ 5,000.00	Surety bond if issue over \$50,000 in scholarships 2% of award - computed on \$50,000 X 5
\$ 200.00	Financial statement if issue more than \$50,000 in scholarships 5 X 40
\$16,000.00	Parent survey cost based on recent contract Department signed for parent survey preparation and analysis
\$25,376.50	Total

IV. ASSUMPTIONS

Five applications will be received and approved permitting scholarship granting organizations to award scholarships to students or children with special needs as described in 134.1220 RSMo. Each organization will have two employees and four board of directors members.

The worksheet shows the cost per organization so if there are more than five, the costs would be larger and could be determined using the formulas in the worksheet.

Not all available scholarships will be awarded each year - cost based on 700 total scholarships.

The not for profit organizations will already have annual financial reports from which to draw the information required by the rule.

Some of the items were required by the statute but the costs were included in the cost of the rule.

All transmission of information to the Department will be by mail - although electronic transmittal is permitted.

All five organizations will be the same size and be required to get surety bonds.

Each organization designs and processes their own parent survey.

Number of donors is speculative - there could be only a few large donations or many small donations.

Cost of the parent survey based on a contract the Department recently signed for a parent survey.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 10—Commissioner of Education
Chapter 2—Education Scholarships**

PROPOSED RULE

5 CSR 10-2.020 Scholarships

PURPOSE: This rule sets forth the requirements for scholarships permitted in section 135.1220, RSMo Supp. 2013.

(1) By May 1 of each year, the Commissioner of Education (commissioner) shall determine the maximum number of scholarships available to eligible students with autism spectrum disorder, Down syndrome, Angelman syndrome, and cerebral palsy who have Individualized Education Programs (IEPs).

(2) By May 1 of each year, the commissioner shall determine the maximum number of scholarships available to eligible children age birth to five (B-5) with autism spectrum disorder, Down syndrome, Angelman syndrome, and cerebral palsy.

(3) The commissioner shall publicly announce and post on the Department of Elementary and Secondary Education (department) website the number of scholarship opportunities available each year in each category.

(4) The commissioner shall keep a running tally of the number of scholarships granted in the order in which they were reported. When the annual limit for each category is reached, the commissioner shall notify all participating scholarship granting organizations that they shall not issue any more scholarships in that category. When the annual limit of both categories is reached, the commissioner shall notify all participating scholarship granting organizations that they shall not issue any more receipts for contributions.

(5) Scholarships awarded by a scholarship granting organization shall not exceed an average of fifty thousand dollars (\$50,000) per eligible student.

(6) Scholarships awarded by a scholarship granting organization shall not exceed an average of twenty thousand dollars (\$20,000) per eligible child.

(7) If a child or student who has received a scholarship transfers to a new qualified school or a different qualified service provider, the scholarship can be prorated between the schools or providers.

(8) Scholarships cannot be awarded to a student to attend a school with paid staff or board members who are related to the student within the first degree of consanguinity or affinity.

(9) Scholarships cannot be awarded to a child to receive services from a qualified service provider with paid staff or board members who are related to the child within the first degree of consanguinity or affinity.

(10) Definitions—as used in this regulation, the following terms shall mean:

(A) Category means either eligible child or eligible student as defined in section 135.1220, RSMo;

(B) Eligible child as defined in section 135.1220.2(6), RSMo; and

(C) Eligible student as defined in section 135.1220.2(7), RSMo.

AUTHORITY: sections 135.1220.12 and 161.092, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Cynthia Quetsch, PO Box 480, Jefferson City, MO 65102-0480 or by email at Bryceclaw@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 10—Commissioner of Education
Chapter 2—Education Scholarships**

PROPOSED RULE

5 CSR 10-2.030 Eligibility for Scholarships

PURPOSE: This rule sets forth the requirements to be eligible for scholarships permitted in section 135.1220, RSMo Supp. 2013.

(1) There are two (2) ways for a child to be eligible for the scholarship program in section 135.1220, RSMo—

(A) Currently enrolled in the First Steps Program (Individuals with Disabilities Education Act (IDEA) Part C) and—

1. They are birth to age five (B-5); and

2. They live in Missouri; and

3. They have an individualized family services plan (IFSP) as a part of the First Steps Program; and

4. The parent or guardian has completed the complaint procedure under the IDEA Part C and received an unfavorable response as defined herein;

(B) Not participating in the First Steps Program (IDEA Part C) and—

1. They are birth to age five (B-5); and

2. They live in Missouri; and

3. They have been evaluated for, and a qualified health professional has determined they have, autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy, and they have a developmental delay of less than fifty percent (50%) but greater than twenty-five percent (25%) as measured by appropriate diagnostic measures and procedures conducted by a qualified health professional.

(2) A student is eligible for the scholarship program in section 135.1220, RSMo if—

(A) They have an Individualized Education Program (IEP) based on autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy; or

(B) They have a medical diagnosis by a qualified health professional of autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy; and

(C) They attended public school in Missouri the semester preceding the semester they desire to utilize the scholarship; or

(D) They will be attending school in Missouri for the first time; and

(E) They will be attending an elementary or secondary school; and

(F) They are age five to twenty-one (5–21) and have never received a high school diploma.

(3) As used in this regulation, the following terms mean—

(A) Qualified health professional—

1. An individual having a current license in good standing as a physician issued by the Missouri Board of Healing Arts who has examined, assessed, or evaluated the child or student; or

2. An individual having a current license in good standing as a psychologist issued by the Missouri state committee of psychologists who has examined, assessed, or evaluated the child or student; or

3. An individual having a current license in good standing as a clinical social worker issued by the Missouri State Committee for Social Workers who has examined, assessed, or evaluated the child or student;

(B) Unfavorable response. A decision by an independent hearing officer following the filing of a due process complaint that found the child the subject of the complaint was not eligible for services from the First Steps program or found that the First Steps program was not required to provide the services requested in the due process complaint.

AUTHORITY: sections 135.1220.12 and 161.092, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Cynthia Quetsch PO Box 480, Jefferson City, MO 65102-0480 or by email at Bryceslaw@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 100—Office of Quality Schools**

PROPOSED RECISSION

5 CSR 20-100.170 Missouri School Improvement Program. This rule established standards for the Missouri School Improvement Program (MSIP).

PURPOSE: This rule is being rescinded since the Department of Elementary and Secondary Education has discontinued the application of the standards contained in this rule.

AUTHORITY: sections 161.092 and 168.081, RSMo Supp. 2003 and 162.081 and 167.131, RSMo 2000. This rule previously filed as 5 CSR 50-345.100. Original rule filed June 30, 2004, effective Jan. 30, 2005. Moved to 5 CSR 20-100.170, effective Aug. 16, 2011. Rescinded: Filed Oct. 29, 2013.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the

Department of Elementary and Secondary Education, Attention: Dennis Cooper, Assistant Commissioner of the Office of Quality Schools, PO Box 480, Jefferson City, MO 65102-0480 or by email at qualityschools@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.375 Districts Effectively Evaluating Educators

PURPOSE: The growth and learning of children is the primary responsibility of those who teach in our classrooms and lead our schools. Student growth and learning can be observed and measured. Educators, in partnership with students, parents, and community, are accountable for ensuring the improvement of student achievement. Effective educator evaluation systems promote the improvement of professional practice resulting in the improvement of student performance.

(1) Pursuant to section 168.128, RSMo, the board of education of each school district shall maintain a comprehensive, performance-based evaluation for each teacher employed by the district. It is required that these evaluations shall be ongoing and of sufficient specificity and frequency to provide for demonstrated standards of competency and academic ability. With the primary goal of improving educator quality to promote high levels of student learning, the Department of Elementary and Secondary Education (department) establishes the following principles of effective evaluation:

(A) The evaluation process should use research-based performance targets aligned with state model teacher and leader standards;

(B) The evaluation process should establish indicators of performance articulated across differentiated levels with standards specifying expectations at all levels of practice;

(C) The evaluation process should be aligned with the probation period for the educator as specified in state law and provide for the accurate and appropriate accumulation of performance data;

(D) The evaluation process should use student growth in learning as a significant contributing factor in the evaluation of practice at all levels, using a wide variety of student performance measures;

(E) The evaluation process should assess performance on a regular basis, providing timely feedback from multiple sources that promotes formative development at all career stages and supporting overall improvement;

(F) The evaluation process should be designed to ensure that evaluators who collect evidence of performance and provide feedback are highly trained and objective, ensuring that ratings are fair, accurate, and reliable; and

(G) The evaluation process should be designed to guide district decisions regarding determinations of status, recognition, development, interventions, and policies that impact student learning in the system.

(2) These essential principles outlined here are the overall framework of Missouri's model Educator Evaluation System. School districts not electing to adopt the state model shall align their local evaluation process to these same principles and shall submit their process to the department for review and approval.

AUTHORITY: section 161.092, RSMo Supp. 2013, and section 168.128, RSMo 2000. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will cost approximately nine hundred thousand dollars (\$900,000) for the initial training cost and three hundred thousand dollars (\$300,000) recurring cost each year from the department's revolving fund.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480, or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

FISCAL NOTE PUBLIC COST

- I. Department Title:** Title 5 – Department of Elementary and Secondary Education
Division Title: Division 20 – Division of Learning Services
Chapter Title: Chapter 400 – Office of Educator Quality

Rule Number and Name:	5 CSR 20-400.375 Districts Effectively Evaluating Educators
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Elementary and Secondary Education	Approximately \$900,000 initial training cost and \$300,000 recurring cost each year from Department Revolving Fund.

III. Worksheet

All educators are required to have an annual evaluation as part of the certification renewal process. The following information is submitted to illustrate the cost of providing a comprehensive, research-based training program statewide to ensure an effective evaluation process. These costs relate to statewide costs only, not district. District cost could vary from nothing to some other number based on local decisions and resources.

Superintendents, Assistant Superintendents	831
Principals, Assistant Principals	3,408
Charter School Principals	58
Master Teacher from Secondary Buildings	949
Master Teacher from Elementary Buildings	1,236
TOTAL:	6,482

Training Outcomes provided to the target audience *

- Use of the evaluation process for probationary educators (5 successive years or less) to identify strengths and areas for growth to accelerate effective practice and increase retention
- Increased skill level of evaluators to generate reliable performance assessment data and increase inter-rater reliability
- Ability to deliver meaningful feedback to all educators based on strengths and areas for growth promoting improvements in practice
- Appropriate and accurate use of measures of growth in student learning as a

- significant factor in the educator evaluation process
- Integration of professional learning aligned to educator evaluation results and directly linked to increases in student achievement
- Development and use of educator evaluation systems that respect the rights of students, families, teachers and administrators and address the student improvement priorities of districts/schools

* Session trainings include training on the state model as application of the 6 outcomes above

IV. ASSUMPTIONS

Training:

100 participants per each six-day training = 65 six-day trainings

Cost per each training session—

Trainers \$300 per session (2 trainers per session) = \$600

Materials \$100

Lunches for participants \$1,600

Location \$100

Recurring cost each year:

Anticipated administrator turnover—

Superintendent and Assistant Superintendents 80

Principals and Assistant Principals 320

Additional teachers each year 2,185

2,585 participants per each six-day training = 26 six-day trainings

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.500 Application for Certificate of License to Teach

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the procedures for application for a certificate of license to teach.

(1) An applicant for a Missouri certificate of license to teach who possesses good moral character and has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or earned a doctoral degree may be granted an initial Missouri certificate of license to teach in their major area of study, subject to the specific content area certification requirements established by the State Board of Education (board), which can be found in 5 CSR 20-400.500–5 CSR 20-400.700.

(2) Applications for a Missouri certificate of license to teach shall be submitted on the forms provided by the department, accompanied by the appropriate fee, and may be obtained by writing the Educator Certification Section of the department at PO Box 480, Jefferson City, MO 65102-0480 or downloading from the Internet.

(3) An application is not considered officially filed with the board until it has been determined by the board or the department staff to be complete and the application is submitted on the forms provided by the department, signed, and accompanied by two (2) full sets of fingerprints with the appropriate fee as set by the Missouri State Highway Patrol (Highway Patrol) and/or the Federal Bureau of Investigation (FBI) and any other applicable forms and/or fees. All information should be received by the department within ninety (90) days of the date of the application.

(A) The applicant is responsible for submitting the fingerprints in the manner acceptable to the Highway Patrol and/or FBI and the payment of any fees required by the Highway Patrol and/or FBI.

(4) The applicant shall submit verification of certification or licensure directly to the department, including information regarding any disciplinary action from each state or United States' territory regulatory entity in which a professional license, including a certificate of license to teach, is held or has been held.

(5) An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the department must comply with the following additional criteria in addition to any requirements specific to the content area for which the applicant seeks certification:

(A) The applicant must possess a baccalaureate degree from a regionally accredited college or university;

(B) The applicant must possess an overall grade point average to meet the following specifications:

1. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

2. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is

sought; or

3. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

(C) The applicant must request and obtain the recommendation of the designated certification official from a baccalaureate or higher-level educator preparation program approved by the department; and

(D) The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

(6) An applicant for a Missouri certificate of license to teach who possesses a valid certificate of license to teach from another state and who possesses good moral character may be granted a Missouri certificate of license to teach.

(7) An applicant for a Missouri certificate of license to teach who has successfully obtained certification by the National Board for Professional Teaching Standards (NBPTS), or for school psychologists, the certificate of nationally certified school psychologists issued by the National Association of School Psychologists (NASP), and possesses good moral character may be granted a Missouri certificate of license to teach in their area of NBPTS or NASP certification most closely aligned with the current areas of certification approved by the board. The certificate of license to teach will be an initial student services classification or a career continuous student services classification if the applicant possesses four (4) years of student services experience.

(8) An applicant for an initial Missouri certificate of license to teach who has earned a doctoral degree from an institution of higher education accredited by a regional accreditation agency including but not limited to the Higher Learning Commission of the North Central Association of Colleges and Schools (NCA) must comply with the following additional criteria:

(A) The applicant must have completed and provide documentation of a doctoral degree earned in an area of study for which an initial professional certificate (IPC) of license to teach may be issued;

(B) The applicant must achieve a score equal to or in excess of the qualifying score on the pedagogy assessment approved by the department for the specific grade levels as defined in the rules promulgated by the board. The official score report shall be submitted to the department; and

(C) The applicant may only be granted an IPC level certificate of license to teach in their major area of study pursuant to the rules promulgated by the board. A career continuous professional level certificate of license to teach will not be issued.

(9) An applicant for an initial Missouri certificate of license to teach in the area of personal finance, banking, or financial responsibility who has earned a bachelor's degree, or higher degree, from an institution of higher education accredited by a regional accreditation agency including, but not limited to the Higher Learning Commission of the NCA must comply with the following additional criteria:

(A) The applicant must provide documentation of a valid degree being conferred and achieve a score equal to or in excess of the qualifying score on the assessment designated by the board. The official score report shall be submitted to the department;

(B) Comply with the professional experience requirements specific to the particular content area for which certification is sought as set forth in rules 5 CSR 20-400.500–5 CSR 20-400.700; and

(C) The applicant may only be granted an initial career education level of certificate of license to teach in the field of personal finance.

(10) Additional professional certificates of license to teach may be granted as follows:

(A) The applicant may take the appropriate content knowledge or specialty area exit assessment(s) for certification and must achieve a score equal to or in excess of the qualifying score on the content knowledge or specialty area exit assessment(s) as defined in the rules promulgated by the board; or

(B) If the board has not designated a content knowledge or specialty area exit assessment(s) for a particular certification area or grade level or the applicant chooses not to take the appropriate content knowledge or specialty area exit assessment(s), the applicant must meet the specific content area certification requirements found in 5 CSR 20-400.500–5 CSR 20-400.700.

(11) Following review by the department the applicant shall be informed of the decision regarding the application for certificate of license to teach.

(12) The holder of a certificate of license to teach shall ensure that the department has their current legal name and address.

(A) A holder of a certificate of license to teach whose name is changed shall notify the department within ninety (90) days of the name change and provide a copy of the appropriate documents verifying the name change.

(B) A holder of a certificate of license to teach whose address has changed shall inform the department of the change within ninety (90) days of the effective date of the change.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.510 Certification Requirements for Teacher of Early Childhood Education (Birth – Pre-Kindergarten)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Early Childhood Education.

(1) An applicant for a Missouri certificate of license to teach Early Childhood Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Early

Childhood Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Early Childhood Education:

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score.

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

(B) Professional Requirements. A minimum of thirty-six (36) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for the following topics:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

- A. Consultation and Collaboration; and
- B. Legal/Ethical Aspects of Teaching;

4. Teaching and Supporting Learning of the Young Child (minimum requirement of twenty-one (21) semester hours)—

- A. Early Childhood Principles;
- B. Language Acquisition; and
- C. Methods of Teaching and Differentiated Instruction in the

following areas:

- (I) Language Arts (including reading, writing, speaking, and listening);
- (II) Math;
- (III) Health;
- (IV) Science;
- (V) Nutrition;
- (VI) Social Studies;
- (VII) Music;
- (VIII) Safety;
- (IX) Movement;
- (X) Art; and
- (XI) Drama;

5. Home-School-Community Relations (minimum requirement of six (6) semester hours)—

- A. Families as First Teachers;
- B. Family Involvement; and
- C. Linking Families with Community Resources;

6. Program Management (minimum requirement of eight (8) semester hours)—

- A. Program Administration and Management;
- B. Health, Nutrition, and Safety of Young Children; and
- C. Environmental Organization and Design; and

(C) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close-partnership of highly-qualified professionals in appropriate school settings.

1. Early Field Experiences (one (1) semester hour with a minimum of forty-five (45) clock hours). This limited field experience includes placements in which candidates observe students, support teachers, and respond to specific class assignments. The candidate may work with students individually and/or in small groups as requested and under the supervision of the classroom teacher.

2. Mid-Level Experiences (one (1) semester hour with a minimum of forty-five (45) clock hours). The mid-level experience occurs between the initial placement and the culminating clinical experiences. At the mid-level, candidates continue to observe; respond to specific class assignments; and work with students individually, in small groups, and in whole class settings as requested and under the supervision of the classroom teacher.

3. Culminating Clinical Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The culminating experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete required assignments, work with students as requested and under the supervision of the classroom teacher, and have the opportunity and responsibility to lead the class over an extended period of time.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.520 Certification Requirements for Teacher of Elementary Education (Grades K-6)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Elementary Education.

(1) An applicant for a Missouri certificate of license to teach Elementary Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Elementary Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Elementary Education:

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the State Board of Education (board) to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in

5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

(B) Professional Requirements. A minimum of thirty-six (36) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for the following topics:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Teaching and Learning Strategies (minimum requirement of fifteen (15) semester hours)—

A. Elementary Literacy (three (3) courses required, minimum total of nine (9) semester hours)—to include coursework in reading and writing, and to include instructional interventions for students with reading deficits. At a minimum, the teaching method competencies shall include:

B. Children's Literature;

C. Language Arts;

D. Science;

E. Social Science to include Geography and Economics;

F. Art;

G. Music;

H. Physical Education;

I. Technology in Education; and

J. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits; and

5. Content Knowledge for Teaching and Learning (a minimum of eighteen (18) semester hours) in Content Knowledge for Teaching and Learning to include all of the following areas:

A. English/Language Arts;

B. Mathematics;

C. Science;

D. Social Studies;

E. Health and Safety;

F. Physical Education;

G. Art; and

H. Music; and

(C) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.

1. Early Field Experiences (one (1) semester hour with a minimum of thirty (30) clock hours). The early field experience includes placements in which candidates observe students, support teachers, and respond to specific class assignments. The candidate may work with students individually and/or in small groups as requested and under the supervision of the classroom teacher.

2. Mid-Level Field Experiences (one (1) semester hour with a minimum of forty-five (45) semester hours). The mid-level experience occurs between the initial placement and the culminating clinical experiences. At the mid-level, candidates continue to observe; respond to specific class assignments; and work with students individually, in small groups, and in whole class settings as requested and under the supervision of the classroom teacher.

3. Culminating Clinical Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The culminating experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete required assignments, work with students as requested and under the supervision of the classroom teacher, and have the opportunity and responsibility to lead the class over an extended period of time.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.530 Certification Requirements for a Teacher of Middle School Education (Grades 5-9)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Middle School Education.

(1) An applicant for a Missouri certificate of license to teach Middle School Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Middle School Education subject to the certification requirements found in 5 CSR

20-400.500 and the following additional certification requirements specific to middle school education:

(A) General Requirements. An applicant for a Missouri certificate of license to teach who has successfully completed an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) must comply with the following additional criteria:

1. The applicant must possess a baccalaureate degree from a regionally accredited college or university;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program, which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

(B) Professional Requirements. A minimum of forty-five (45) semester hours in professional education. Competency must be demonstrated in the following areas listed to the satisfaction of the educator preparation institution:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationship between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional

responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Middle School Literacy (minimum of nine (9) semester hours): to include coursework in methods of teaching reading and writing in the content area, and to include instructional interventions for students with reading deficits; and

5. Content Knowledge for Teaching (minimum requirement of twenty-four (24) semester hours). Subject area certification in grades five through nine (5-9) will be granted upon the basis of a minimum of twenty-one (21) semester hours with appropriate distribution as determined by the educator preparation institution and/or the department, in one (1) of the following areas:

A. Agricultural Education (5-9);

B. Business Education (5-9);

C. Technology and Engineering (5-9);

D. Language Arts (5-9);

E. Mathematics (5-9);

F. Science (5-9);

G. Social Science (5-9); and

H. Speech/Theatre (5-9); and

(C) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.

1. Early Field Experiences (one (1) semester hour with a minimum of thirty (30) clock hours). The early field experience includes placements in which candidates observe students, support teachers, and respond to specific class assignments. The candidate may work with students individually and/or in small groups as requested and under the supervision of the classroom teacher.

2. Mid-Level Field Experiences (one (1) semester hour with a minimum of forty-five (45) semester hours). The mid-level experience occurs between the initial placement and the culminating clinical experiences. At the mid-level, candidates continue to observe; respond to specific class assignments; and work with students individually, in small groups, and in whole class settings as requested and under the supervision of the classroom teacher.

3. Culminating Clinical Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The culminating experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete required assignments, work with students as requested and under the supervision of the classroom teacher, and have the opportunity and responsibility to lead the class over an extended period of time.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION**

**Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

**5 CSR 20-400.540 Certification Requirements for Teacher of
Secondary Education (Grades 9-12)**

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Secondary Education.

(1) An applicant for a Missouri certificate of license to teach Secondary Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Secondary Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Secondary Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program which may exceed these minimum requirements;

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

(B) Professional Requirements—a minimum requirement of thirty-six (36) semester hours in professional education. Competency must be demonstrated in the following topics listed to the satisfaction of

the educator preparation institution:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationship between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching; and

4. Secondary Literacy (minimum of six (6) semester hours). Methods of Teaching Reading and Writing, to include one (1) course specific to teaching reading and writing in the content area for which certification is sought;

(C) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.

1. Early Field Experiences (one (1) semester hour with a minimum of thirty (30) clock hours). The early field experience includes placements in which candidates observe students, support teachers, and respond to specific class assignments. The candidate may work with students individually and/or in small groups as requested and under the supervision of the classroom teacher.

2. Mid-Level Field Experiences (one (1) semester hour with a minimum of forty-five (45) semester hours). The mid-level experience occurs between the initial placement and the culminating clinical experiences. At the mid-level, candidates continue to observe; respond to specific class assignments; and work with students individually, in small groups, and in whole class settings as requested and under the supervision of the classroom teacher.

3. Culminating Clinical Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The culminating experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete required assignments, work with students as requested and under the supervision of the classroom teacher, and have the opportunity and responsibility to lead the class over an extended period of time.

(2) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Agriculture may be granted an initial Missouri certificate of license to teach Agriculture subject to completion of at least forty-one (41) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Animal Science, three (3) semester hours;

(B) Agronomy, three (3) semester hours;

(C) Agricultural Business, three (3) semester hours;

(D) Agricultural Economics, three (3) semester hours;

(E) Agricultural Mechanics, three (3) semester hours;

(F) Horticulture, three (3) semester hours;

(G) Electives from the following suggested areas: Forestry, Natural Resources, Agriculture Journalism, and Integrated Pest Management, fifteen (15) semester hours; and

(H) A total of at least eight (8) semester hours in professional vocational education courses, including the following areas:

1. Methods of Teaching Vocational Agriculture;
2. Program Planning;
3. Developing and Supervising Occupational Experience Programs;

Programs:

- A. Ownership (Entrepreneurship); and
- B. Placement;

4. Developing and Using Instructional Materials and Teaching Aids;

5. Supervising Student Organizations;

6. Teaching Agricultural Mechanics; and

7. Planning and Conducting Adult Programs for Young and Adult Farmers.

(3) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Business may be granted an initial Missouri certificate of license to teach Business subject to completion of at least thirty-six (36) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

- (A) Accounting, six (6) semester hours;
- (B) Economics, three (3) semester hours;
- (C) Business/Consumer Related Law, three (3) semester hours;
- (D) Business Communications, three (3) semester hours;
- (E) Management, three (3) semester hours;
- (F) Marketing, three (3) semester hours;
- (G) Computer/Emerging Technology, six (6) semester hours;
- (H) Electives, three (3) semester hours;

(I) Implementing Business Education Programs, three (3) semester hours; and

(J) Coordination of Cooperative Education, three (3) semester hours.

(4) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Driver Education who is certified in another elementary, middle school, or secondary teaching field may be granted an initial Missouri certificate of license to teach Driver Education subject to completion of at least twelve (12) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

- (A) Introduction to Safety Education, three (3) semester hours;
- (B) Driver Task Analysis, three (3) semester hours;
- (C) Developing Vehicle Operation Skills and Competencies, three (3) semester hours; and
- (D) Developing Classroom Knowledge, three (3) semester hours.

(5) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach English may be granted an initial Missouri certificate of license to teach English subject to completion of at least thirty-three (33) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Composition and Rhetoric (to include a course in the teaching of writing), twelve (12) semester hours;

(B) Study of the English Language (to include modern grammar, history of the language, and/or dialects), six (6) semester hours;

(C) American Literature (to include at least one (1) major unit or module in literature for adolescents and one (1) in literature of ethnic groups), six (6) semester hours;

(D) English and/or World Literature, six (6) semester hours; and

(E) Elective English Credits, three (3) semester hours.

(6) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Journalism may be granted an initial Missouri certificate of license to teach Journalism subject to completion of at least thirty-three (33) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) News Writing and Reporting, six (6) semester hours;

(B) Editing, three (3) semester hours;

(C) Communications Law, three (3) semester hours;

(D) Mass Communications Theory, three (3) semester hours;

(E) Scholastic Publications, three (3) semester hours; and

(F) Electives—Photography, Graphics, Advertising, Broadcasting, History of Journalism, Mass Media and Society, News Media Experience, and other related areas, fifteen (15) semester hours—

1. News media experience (e.g., professional news media, college publications, etc.) must be included in the program on a credit or noncredit basis.

(7) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Marketing may be granted an initial Missouri certificate of license to teach Marketing subject to completion of at least thirty-three (33) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Management or Business Administration, three (3) semester hours;

(B) Economics, three (3) semester hours;

(C) Electives from Business, Management, or Entrepreneurship, nine (9) semester hours;

(D) Marketing (suggested areas: Distribution, Financing, Marketing-information Management, Promotion, Selling, Product/Service Management, International Marketing, and E-commerce Marketing), fifteen (15) semester hours; and

(E) Coordination of Cooperative Education, three (3) semester hours.

(8) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Mathematics may be granted an initial Missouri certificate of license to teach Mathematics subject to completion of at least thirty-six (36) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Calculus and Analytical Geometry, nine (9) semester hours;

(B) Algebraic Structures, three (3) semester hours;

(C) Geometry, three (3) semester hours;

(D) Computer Science, three (3) semester hours;

(E) Electives from the above coursework, six (6) semester hours; and

(F) A minimum of twelve (12) semester hours from at least three (3) areas of Mathematics such as the following:

1. History of Mathematics, three (3) semester hours;

2. Structure of the Real Number System, three (3) semester hours;

3. Number Theory, three (3) semester hours;

4. Completion Calculus Sequence, three (3) semester hours;

5. Probability and Statistics, three (3) semester hours;

6. Computer Science, three (3) semester hours; and

7. Linear Algebra, three (3) semester hours.

(9) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Biology may be granted an initial Missouri certificate of license to teach Biology subject to completion of at least thirty-five (35) semester hours in the following content knowledge areas and

demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) A minimum of twenty (20) hours in Biology, which must include:

1. Cell Biology;
2. Plant Form and Function;
3. Animal Form and Function;
4. Genetics;
5. Evolution; and
6. Biology Electives; and

(C) A minimum of twelve (12) additional hours in Science, which includes:

1. Chemistry;
2. Physics;
3. Earth Science; and
4. Environmental Science.

(10) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Chemistry may be granted an initial Missouri certificate of license to teach Chemistry subject to completion of at least thirty-five (35) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) A minimum of twenty (20) hours in Chemistry, which must include:

1. Inorganic Chemistry;
2. Analytical Chemistry;
3. Organic Chemistry;
4. Physical Chemistry;
5. Biochemistry; and
6. Chemistry Electives; and

(C) A minimum of twelve (12) additional hours in Science, which includes:

1. Biology;
2. Physics;
3. Earth Science; and
4. Environmental Science.

(11) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Earth Science may be granted an initial Missouri certificate of license to teach Earth Science subject to completion of at least thirty-five (35) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) A minimum of twenty (20) hours in Earth Science, which must include:

1. Astronomy;
2. Meteorology;
3. Geology/Physical Geography; and
4. Earth Science Electives; and

(C) A minimum of twelve (12) additional hours in Science, which includes:

1. Chemistry;
2. Biology;
3. Physics; and
4. Environmental Science.

(12) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach General Science may be granted an initial Missouri certificate

of license to teach General Science subject to completion of at least thirty-five (35) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours; and

(B) A minimum of thirty-two (32) hours in General Science, which must include:

1. Chemistry;
2. Biology;
3. Physics;
4. Earth Science;
5. Astronomy; and
6. Environmental Science.

(13) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Physics may be granted an initial Missouri certificate of license to teach Physics subject to completion of at least thirty-five (35) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) A minimum of twenty (20) hours in Physics, which must include:

1. Mechanics;
2. Electricity and Magnetism;
3. Heat, Sound, and Light;
4. Atomic or Modern Physics; and
5. Physics Electives; and

(C) A minimum of twelve (12) additional hours in Science, which includes:

1. Chemistry;
2. Biology;
3. Earth Science; and
4. Environmental Science.

(14) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Unified Science: Biology may be granted an initial Missouri certificate of license to teach Unified Science: Biology subject to completion of at least fifty (50) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) Biology (to include Zoology and Botany with labs), six (6) semester hours;

(C) Chemistry (with labs), six (6) semester hours;

(D) Physics (with labs), six (6) semester hours;

(E) Earth Science (to include Geology and Meteorology), six (6) semester hours;

(F) Environmental Science, three (3) semester hours; and

(G) An additional twenty (20) semester hours in Biology to include coursework in:

1. Zoology;
2. Botany;
3. Genetics;
4. Cell/Biochemistry;
5. Microbiology;
6. Anatomy and Physiology;
7. Ecology; and
8. Evolution.

(15) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Unified Science: Chemistry may be granted an initial Missouri

certificate of license to teach Unified Science: Chemistry subject to completion of at least fifty (50) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) Biology (to include Zoology and Botany with labs), six (6) semester hours;

(C) Chemistry (with labs), six (6) semester hours;

(D) Physics (with labs), six (6) semester hours;

(E) Earth Science (to include Geology and Meteorology), six (6) semester hours;

(F) Environmental Science, three (3) semester hours; and

(G) An additional twenty (20) semester hours in Chemistry to include coursework in:

1. Organic Chemistry;
2. Physical Chemistry;
3. Quantitative Analysis;
4. Biochemistry;
5. Qualitative Analysis;
6. Advanced Analysis; and
7. Environmental Chemistry.

(16) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Unified Science: Earth Science may be granted an initial Missouri certificate of license to teach Unified Science: Earth Science subject to completion of at least fifty (50) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) Biology (to include Zoology and Botany with labs), six (6) semester hours;

(C) Chemistry (with labs), six (6) semester hours;

(D) Physics (with labs), six (6) semester hours;

(E) Earth Science (to include Geology and Meteorology), six (6) semester hours;

(F) Environmental Science, three (3) semester hours; and

(G) An additional twenty (20) semester hours in Earth Science to include coursework in:

1. Geology;
2. Astronomy;
3. Meteorology;
4. Paleontology; and
5. Oceanography.

(17) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Unified Science: Physics may be granted an initial Missouri certificate of license to teach Unified Science: Physics subject to completion of at least fifty (50) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) History/Philosophy of Science and Technology, three (3) semester hours;

(B) Biology (to include Zoology and Botany with labs), six (6) semester hours;

(C) Chemistry (with labs), six (6) semester hours;

(D) Physics (with labs), six (6) semester hours;

(E) Earth Science (to include Geology and Meteorology), six (6) semester hours;

(F) Environmental Science, three (3) semester hours; and

(G) An additional twenty (20) semester hours in Physics to include coursework in:

1. Quantum Physics;
2. Atomic/Nuclear Physics;

3. Heat/Thermodynamics;

4. Health Physics;

5. Optics;

6. Electricity/Magnetism; and

7. Statistics/Mechanics.

(18) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Social Science may be granted an initial Missouri certificate of license to teach Social Science subject to completion of at least thirty-nine (39) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) U.S. History, twelve (12) semester hours;

(B) World History, nine (9) semester hours;

(C) Political Science (State and U.S. Government), six (6) semester hours;

(D) Economics, three (3) semester hours;

(E) Geography, three (3) semester hours; and

(F) Behavioral Science (Sociology, Anthropology, or Psychology), six (6) semester hours.

(19) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Speech and Theatre may be granted an initial Missouri certificate of license to teach Speech and Theatre subject to completion of at least thirty (30) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Speech, twelve (12) semester hours (must include three (3) semester hours of debate);

(B) Theatre, twelve (12) semester hours; and

(C) Electives (from Speech, Theatre, and/or Mass Communications), six (6) semester hours.

(20) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Technology and Engineering may be granted an initial Missouri certificate of license to teach Technology and Engineering subject to completion of at least thirty-six (36) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Communication Technology, six (6) semester hours;

(B) Energy and Power, six (6) semester hours;

(C) Materials and Processes Technology, six (6) semester hours;

(D) Organization and Administration, six (6) semester hours; and

(E) Electives, twelve (12) semester hours.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION**

**Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.550 Certification Requirements for Teacher of K-12 Education

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach K-12 Education.

(1) An applicant for a Missouri certificate of license to teach Secondary Education who possesses good moral character may be granted an initial Missouri certificate of license to teach K-12 Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to K-12 Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri;

2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;

3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program which may exceed these minimum requirements;

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

A. English Composition, two (2) courses, each a minimum of two (2) semester hours;

B. U.S. History, three (3) semester hours; and

C. U.S. Government, three (3) semester hours;

(B) Professional Requirements. A minimum requirement of thirty-six (36) semester hours in professional education. Competency must be demonstrated in the following topics listed to the satisfaction of the educator preparation institution:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationship between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching; and

4. Literacy (minimum of six (6) semester hours) to include coursework in methods of teaching reading and writing, and to include instructional interventions for students with reading deficits; and

(C) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.

1. Early Field Experiences (one (1) semester hour with a minimum of thirty (30) clock hours). The early field experience includes placements in which candidates observe students, support teachers, and respond to specific class assignments. The candidate may work with students individually and/or in small groups as requested and under the supervision of the classroom teacher.

2. Mid-Level Field Experiences (one (1) semester hour with a minimum of forty-five (45) semester hours). The mid-level experience occurs between the initial placement and the culminating clinical experiences. At the mid-level, candidates continue to observe; respond to specific class assignments; and work with students individually, in small groups, and in whole class settings as requested and under the supervision of the classroom teacher.

3. Culminating Clinical Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The culminating experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete required assignments, work with students as requested and under the supervision of the classroom teacher, and have the opportunity and responsibility to lead the class over an extended period of time.

(2) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Art may be granted an initial Missouri certificate of license to teach Art subject to completion of at least thirty (30) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Design—Composition, three (3) semester hours;

(B) Drawing, three (3) semester hours;

(C) Painting, three (3) semester hours;

(D) Graphics (such as Printmaking, Photography, and Serigraphy), three (3) semester hours;

(E) Ceramics, three (3) semester hours;

(F) Sculpture, three (3) semester hours;

(G) Fibers (such as Weaving, Macramé, and Fiber Sculpture), three (3) semester hours;

(H) History, Theory, Criticism in the Visual Arts, three (3) semester hours;

(I) Instructional Techniques for Art K-12, three (3) semester hours; and

(J) Electives, three (3) semester hours.

(3) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Dance may be granted an initial Missouri certificate of license to teach Dance subject to completion of at least thirty (30) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Ballet Technique, six (6) semester hours;

(B) Contemporary Technique, six (6) semester hours;

(C) Jazz Technique, six (6) semester hours;

(D) Tap Technique, six (6) semester hours;

(E) Dance Theory, three (3) semester hours; and

(F) Dance Composition, three (3) semester hours.

(4) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Family and Consumer Sciences may be granted an initial Missouri certificate of license to teach Family and Consumer Sciences subject to completion of at least thirty-three (33) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Foundations of Family and Consumer Sciences Education, three (3) semester hours;

(B) Nutrition, Health, and Wellness (including Health Issues and Concepts as well as Scientific Principles Related to Food Preparation), six (6) semester hours;

(C) Family and Consumer Resource Management, twelve (12) semester hours (including three (3) semester hours each in: Personal Finance; Family and Consumer Resource Management; Housing and Environment; and Textiles, Apparel, and Fashion);

(D) Human Development and Parenting, six (6) semester hours; and

(E) Family and Interpersonal Relationships, six (6) semester hours.

(5) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Foreign Language may be granted an initial Missouri certificate of license to teach Foreign Language subject to completion of at least thirty (30) semester hours in the language to be taught, or twenty-seven (27) semester hours plus two (2) or more earned units of high school credit in that language. Additionally, the applicant must complete a minimum of fifteen (15) semester hours in upper-level courses with no more than six (6) of those semester hours in history/culture and demonstrate competency to the satisfaction of the educator preparation institution.

(6) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Health may be granted an initial Missouri certificate of license to teach Health subject to completion of at least thirty-six (36) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Human Anatomy-Physiology, three (3) semester hours;

(B) Nutrition, three (3) semester hours;

(C) Drug Education, three (3) semester hours;

(D) Personal Health, three (3) semester hours;

(E) Mental Health, three (3) semester hours;

(F) Family Life/Sex Education, three (3) semester hours;

(G) Safety and First Aid, three (3) semester hours;

(H) Community Health, three (3) semester hours;

(I) Instructional Techniques in Health K-12, three (3) semester hours; and

(J) Electives in Health, nine (9) semester hours.

(7) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license for Library Media Specialist may be granted an initial Missouri certificate of license for Library Media Specialist subject to completion of at least thirty-three (33) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) Content Knowledge for Teaching—

1. Foundations of Librarianship, three (3) semester hours;

2. Library Media Administration, three (3) semester hours;

3. Developing and Managing Collections, three (3) semester hours;

4. Organizing Information, three (3) semester hours;

5. Reference Sources and Services, three (3) semester hours;

6. Action Research in School Libraries, three (3) semester hours;

7. Children's, Adolescent, or Young Adult Literature, three (3) semester hours;

8. Library Systems and Information Technologies, three (3) semester hours; and

9. Curriculum and the Media Center, three (3) semester hours;

(B) Field and Clinical Experiences (three (3) semester hours)—

1. Culminating Clinical Experiences. This librarian internship builds upon the classroom experiences and provides the intern an opportunity to lead and direct specific activities. The intern is an active participant in the daily operations of the library media center including working with students, faculty, staff, and stakeholders while under the supervision of an on-site supervisor. The clinical experience should include collaborating with other educators to support student learning.

(8) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Music may be granted an initial Missouri certificate of license to teach Music subject to completion of at least forty-five (45) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

(A) For applicants for a Missouri license to teach Vocal Music—

1. Theory, nine (9) semester hours;

2. Beginning Conducting, three (3) semester hours;

3. History/Literature Music, three (3) semester hours;

4. Piano (or proficiency), three (3) semester hours;

5. Choral Arranging, three (3) semester hours;

6. Applied Voice, six (6) semester hours;

7. Choral Techniques, three (3) semester hours;

8. Advanced Choral Conducting, three (3) semester hours;

9. Choral Literature, three (3) semester hours;

10. Choral Ensemble, three (3) semester hours;

11. Methods/Techniques of Teaching Elementary School Music (to include an introduction to Early Childhood Choral Literature and Musical Instruments), three (3) semester hours; and

12. Methods/Techniques of Teaching Middle/Secondary School Music, three (3) semester hours;

(B) For applicants for a Missouri license to teach Instrumental Music—

1. Theory, nine (9) semester hours;

2. Beginning Conducting, three (3) semester hours;

3. History/Literature Music, three (3) semester hours;

4. Piano (or proficiency), three (3) semester hours;

5. Methods/Techniques, six (6) semester hours (strings, brass, woodwinds, percussion);

6. Applied major instrument, three (3) semester hours;

7. Instrumental ensemble, six (6) semester hours;

8. Advanced Instrumental Conducting, three (3) semester hours;
9. Instrumentation/arranging, three (3) semester hours;
10. Methods/Techniques of Teaching Middle/Secondary School Music, three (3) semester hours; and
11. Methods/Techniques of Teaching Elementary School Music (to include an introduction to Early Childhood Choral Literature and Musical Instruments), three (3) semester hours.

(9) In addition to the requirements specified in subsections (1)(A)-(C) of this rule, an applicant for a Missouri certificate of license to teach Physical Education may be granted an initial Missouri certificate of license to teach Physical Education subject to completion of at least forty-five (45) semester hours in the following content knowledge areas and demonstration of competency to the satisfaction of the educator preparation institution:

- (A) History and Philosophy, three (3) semester hours;
- (B) Anatomy-Physiology, three (3) semester hours;
- (C) Kinesiology, three (3) semester hours;
- (D) Physiology of Exercise, three (3) semester hours;
- (E) Measurement and Evaluation, three (3) semester hours;
- (F) Health Related Fitness/Wellness, three (3) semester hours;
- (G) Lifetime Activities and Dance, three (3) semester hours;
- (H) Adapted Physical Education, three (3) semester hours;
- (I) Psychological Aspects of Physical Education, three (3) semester hours;
- (J) Sociological Aspects of Physical Education, three (3) semester hours;
- (K) Motor Development/Motor Learning, three (3) semester hours;
- (L) First Aid, CPR, and Care of Activity/Sport Injuries, three (3) semester hours;
- (M) Movement and Rhythms, three (3) semester hours; and
- (N) Instructional Techniques in Physical Education K-12, six (6) semester hours.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katmik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.560 Certification Requirements for Teacher of Special Education

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates.

This rule outlines the requirements for application for a certificate of license to teach Special Education.

(1) An applicant for a Missouri certificate of license to teach Special Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Special Education subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Special Education:

(A) General Requirements—

1. A baccalaureate degree from a college or university having an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department) or from a college or university having an educator preparation program approved by the state education agency in states other than Missouri;
2. The applicant must have a recommendation from the designated official at a baccalaureate or higher-level educator preparation program approved by the department;
3. The applicant must possess an overall grade point average to meet the following specifications:

A. For applicants graduating before the spring semester of the year 2017 from a baccalaureate program approved by the department, a grade point average of 2.5 or higher on a 4.0 scale, and in the major area of study;

B. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program approved by the department, a cumulative grade point average on a 4.00 scale of 2.75 or higher, and a grade point average of 3.00 or higher in professional education and the specific content area for which certification is sought; or

C. For applicants graduating in or after the spring semester of the year 2017 from a baccalaureate program who do not meet the appropriate grade point average requirements, competency may otherwise be demonstrated by achievement of exit assessment scores greater than or equal to a score deemed satisfactory by the board to qualify for forgiveness of a disqualifying grade point average. Such satisfactory score shall be higher than the Missouri qualifying score;

4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

5. The applicant must complete the professional requirements as determined by the recommending educator preparation program which may exceed these minimum requirements; and

6. Individuals who completed an educator preparation program outside of the United States shall provide documentation of completion of coursework in the following:

- A. English Composition, two (2) courses, each a minimum of two (2) semester hours;
- B. U.S. History, three (3) semester hours; and
- C. U.S. Government, three (3) semester hours.

(2) An applicant for a Missouri certificate to teach Blind and Partially Sighted (Grades K-12) students who possess a baccalaureate degree from a college or university having an educator preparation program approved by the department or from a college or university having an educator preparation program approved by the state agency in states other than Missouri may be granted an initial Missouri certificate of license to teach Blind and Partially Sighted (Grades K-12) students subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of sixty (60) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

- A. Curriculum and Instructional Planning;
 - B. Instructional Strategies and Techniques in Content Area Specialty;
 - C. Assessment and Student Data;
 - D. Strategies for Content Literacy;
 - E. Critical Thinking and Problem Solving;
 - F. English Language Learning;
 - G. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction); and
 - H. Career Education or Career Readiness;
2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—
- A. Psychological Development of the Child and Adolescent;
 - B. Psychology/Education of the Exceptional Child;
 - C. Differentiated Learning;
 - D. Classroom Management;
 - E. Behavior Management;
 - F. Cultural Diversity;
 - G. Anatomy, Physiology, and Diseases of the Eye;
 - H. Language Development of the Exceptional Child;
 - I. Orientation and Mobility Training;
 - J. Conservation and Use of Limited Vision; and
 - K. Visual Aids and Appliance Usage;
3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—
- A. Consultation and Collaboration; and
 - B. Legal/Ethical Aspects of Teaching;
4. Teaching and Learning Strategies (minimum requirement of twenty-eight (28) semester hours)—
- A. Literacy (three (3) courses required, minimum total of nine (9) semester hours) to include coursework in reading and writing, and to include instructional interventions for students with reading deficits;
 - B. Reading and Writing Braille;
 - C. Children's Literature;
 - D. Language Arts;
 - E. Science;
 - F. Social Science to include Geography and Economics;
 - G. Art;
 - H. Music;
 - I. Physical Education;
 - J. Technology in Education; and
 - K. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits; and
5. Field and Clinical Experiences (minimum requirement of ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.
- A. Early and Mid-Level Field Experiences (two (2) semester hours with a minimum of thirty (30) clock hours). This field experience must be in a regular classroom setting prior to the culminating field experience.
- (I) Persons certified in Behaviorally Disordered, Mentally Handicapped, Physical and Other Health Impairments, or Learning Disabled may meet this early and mid-level clinical experiences requirement (minimum of three (3) semester hours) by the satisfactory completion of working with Blind and Partially Sighted students.
- B. Culminating Field Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete regular assignments, work with students as requested and under the supervision of the classroom teacher(s)

and/or other specialists. The clinical experience must include opportunities to collaborate with other educators to support student learning. The following activities should be included:

- (I) Teaching blind and partially sighted students;
- (II) Interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction; and
- (III) Practical application of behavior management techniques.

(3) An applicant for a Missouri certificate to teach Deaf and Hearing Impaired (Grades K-12) students who possess a baccalaureate degree from a college or university having an educator preparation program approved by the department or from a college or university having an educator preparation program approved by the state agency in states other than Missouri may be granted an initial Missouri certificate of license to teach Deaf and Hearing Impaired (Grades K-12) students subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of sixty (60) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

- A. Curriculum and Instructional Planning;
- B. Instructional Strategies and Techniques in Content Area Specialty;
- C. Assessment and Student Data;
- D. Strategies for Content Literacy;
- E. Critical Thinking and Problem Solving;
- F. English Language Learning;
- G. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction); and
- H. Career Education or Career Readiness;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

- A. Psychological Development of the Child and Adolescent;
- B. Psychology/Education of the Exceptional Child;
- C. Differentiated Learning;
- D. Classroom Management;
- E. Behavior Management;
- F. Cultural Diversity;
- G. Psychology of Deafness;
- H. Language Development of the Exceptional Child;
- I. Aural Rehabilitation;
- J. Amplification Systems;
- K. Audiology; and
- L. Anatomy and Physiology of Auditory and Speech Mechanisms;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

- A. Consultation and Collaboration; and
 - B. Legal/Ethical Aspects of Teaching; and
4. Teaching and Learning Strategies (minimum requirement of twenty-eight (28) semester hours)—

- A. Elementary Literacy (three (3) courses required, minimum total of nine (9) semester hours). To include coursework in reading and writing, and to include instructional interventions for students with reading deficits;
- B. Manual Communications;
- C. Teaching Speech to the Deaf;
- D. Children's Literature;
- E. Language Arts;

- F. Science;
- G. Social Science to include Geography and Economics;
- H. Art;
- I. Music;
- J. Physical Education;
- K. Technology in Education; and

L. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits;

(B) Field and Clinical Experiences (minimum requirement of ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly qualified professionals in appropriate school settings.

1. Early and Mid-Level Field Experiences (two (2) semester hours with a minimum of thirty (30) clock hours). This field experience must be in a regular classroom setting prior to the culminating field experience.

A. Persons certified in Behaviorally Disordered, Mentally Handicapped, Physical and Other Health Impairments, or Learning Disabled may meet this early and mid-level clinical experiences requirement (minimum of three (3) semester hours) by the satisfactory completion of working with Blind and Partially Sighted students.

2. Culminating Field Experiences (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete regular assignments, work with students as requested and under the supervision of the classroom teacher(s) and/or other specialists. The clinical experience must include opportunities to collaborate with other educators to support student learning. The following activities should be included:

A. Teaching blind and partially sighted students—

(I) Interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction; and

(II) Practical application of behavior management techniques.

(4) An applicant for a Missouri certificate to teach Early Childhood Special Education (Birth-Pre-Kindergarten) who possesses a baccalaureate degree from a college or university having an educator preparation program approved by the department, or from a college or university having an education program approved by the state education agency in states other than Missouri may be granted an initial Missouri certificate of license to teach Early Childhood Special Education (Birth-Pre-Kindergarten) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of thirty-six (36) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Teaching and Supporting Learning of the Young Child (minimum requirement of twenty-one (21) semester hours)—

A. Early Childhood Principles;

B. Language Acquisition; and

C. Methods of Teaching and Differentiated Instruction in the following areas:

(I) Language Arts (including reading, writing, speaking, and listening);

(II) Math;

(III) Health;

(IV) Science;

(V) Nutrition;

(VI) Social Studies;

(VII) Music;

(VIII) Safety;

(IX) Movement;

(X) Art; and

(XI) Drama;

5. Home-School-Community Relations (minimum requirement of six (6) semester hours)—

A. Families as First Teachers;

B. Family Involvement; and

C. Linking Families with Community Resources;

6. Program Management (minimum requirement of eight (8) semester hours)—

A. Program Administration and Management;

B. Health, Nutrition, and Safety of Young Children; and

C. Environmental Organization and Design; and

7. Teaching Young Children with Disabilities (minimum requirement of fifteen (15) semester hours)—

A. Special Education Process;

B. Current Trends in Early Childhood Special Education;

C. Assessment for Intervention;

D. Communication Disorders;

E. Environmental and Personal Strategies for Self Management; and

F. Implementation and Evaluation of Interventions;

(B) Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings.

1. Early and Mid-Level Field Experiences (two (2) semester hours with a minimum requirement of ninety (90) clock hours). This field experience must include a minimum of thirty (30) contact hours in each of the three (3) different age levels (infant/toddler, pre-K/Kindergarten, and primary K-3).

A. This pre-student teaching may be included as part of courses identified in subparagraphs (4)(A)7.B.-E., or such pre-student teaching may be offered as a separate course(s). The selection of pre-student teaching experiences should be individualized to ensure the student's exposure to families from diverse backgrounds and children with a variety of disabling conditions in a variety of settings, including environments where children with disabilities are learning with their peers without disabilities.

2. Culminating Clinical Experience (minimum requirement of twelve (12) semester hours). The individual participates and applies the competencies in a variety of supervised student teaching experiences with children with disabilities and their families. This student teaching experience requires placement with two (2) different age

levels (infant/toddler, pre-K/Kindergarten, and primary K-3). Each of the two (2) student teaching experiences requires a minimum of six (6) semester hours.

(5) An applicant for a Missouri certificate of license to teach students with Mild/Moderate Cross-Categorical Disabilities (Grades K-6) who possesses a baccalaureate degree in Special Education from a college or university having an educator preparation program approved by the department or from a college or university having an educator preparation program approved by the state agency in states other than Missouri may be granted an initial Missouri certificate of license to teach students with Mild/Moderate Cross-Categorical Disabilities (Grades K-6) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of sixty (60) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving;

F. English Language Learning; and

G. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction);

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management;

E. Behavior Management;

F. Cultural Diversity; and

G. Language Development of the Exceptional Child;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Teaching and Learning Strategies (minimum requirement of twenty-eight (28) semester hours)—

A. Elementary Literacy (three (3) courses required, minimum total of nine (9) semester hours). To include coursework in reading and writing, and to include instructional interventions for students with reading deficits;

B. Children's Literature;

C. Language Arts;

D. Science;

E. Social Science to include Geography and Economics;

F. Art;

G. Music;

H. Physical Education;

I. Technology in Education; and

J. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits; and

5. Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly qualified professionals in appropriate

school settings—

A. Early and Mid-Level Field Experiences (two (2) semester hours). This field experience must be in a regular classroom setting prior to the culminating field experience—

(I) Persons certificated in Behaviorally Disordered, Mentally Handicapped, Physical and Other Health Impairments, or Learning Disabled may meet this clinical experiences requirement by the satisfactory completion of at least three (3) semester hours of Practicum with Deaf and Hearing Impaired students;

B. For a certificate in a specific area of special education, the student teaching experience must provide opportunities with children representative of the certificate—

(I) Teaching Students with Mental Handicaps;

(II) Teaching Students with Learning Disabilities;

(III) Teaching Students with Behavioral Disorders;

(IV) Teaching Students with Physical and Other Health Impairments; and/or

(V) Teaching Students with Cross-Categorical Disabilities; and

C. Culminating Clinical Experience (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete regular assignments, work with students as requested and under the supervision of the classroom teacher(s) and/or other specialists. The clinical experience must include opportunities to collaborate with other educators to support student learning. The following activities should be included:

(I) Instruction of students with disabilities;

(II) Interpretation of individualized intelligence tests, formal and informal diagnostic procedures; and

(III) Practical application of behavior management.

(6) An applicant for a Missouri certificate of license to teach Mild/Moderate Cross-Categorical Disabilities (Grades 7-12) who possesses a baccalaureate degree from a college or university having an educator preparation program approved by the department or from a college or university having an educator preparation program approved by the state agency in states other than Missouri may be granted an initial Missouri certificate of license to Mild/Moderate Cross-Categorical Disabilities (Grades 7-12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of sixty (60) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving;

F. English Language Learning;

G. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction); and

H. Career Education or Career Readiness;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management;

E. Behavior Management;

F. Cultural Diversity; and

G. Language Development of the Exceptional Child;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Teaching and Learning Strategies (minimum requirement of twenty-eight (28) semester hours)—

A. Literacy (three (3) courses required, minimum total of nine (9) semester hours) to include coursework in reading and writing, and to include instructional interventions for students with reading deficits; and

B. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits;

5. Content Knowledge for Teaching and Learning (minimum of eighteen (18) semester hours) to include all of the following areas:

A. English/Language Arts;

B. Science;

C. Social Science to include Geography and Economics; and

D. Mathematics; and

6. Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the student through the program and should be supervised through a close partnership of highly qualified professionals in appropriate school settings—

A. Early and Mid-Level Field Experiences (two (2) semester hours). This field experience must be in a regular classroom setting prior to the Culminating Field Experience—

(I) Persons certificated in Behaviorally Disordered, Mentally Handicapped, Physical and Other Health Impairments, or Learning Disabled may meet this clinical experiences requirement by the satisfactory completion of at least three (3) semester hours of Practicum with Deaf and Hearing Impaired students;

B. For a certificate in a specific area of special education, the student teaching experience must provide opportunities with children representative of the certificate—

(I) Teaching Students with Mental Handicaps;

(II) Teaching Students with Learning Disabilities;

(III) Teaching Students with Behavioral Disorders;

(IV) Teaching Students with Physical and Other Health Impairments; and/or

(V) Teaching Students with Cross-Categorical Disabilities; and

C. Culminating Clinical Experience (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete regular assignments, work with students as requested and under the supervision of the classroom teacher(s) and/or other specialists. The clinical experience must include opportunities to collaborate with other educators to support student learning. The following activities should be included:

(I) Instruction of students with disabilities;

(II) Interpretation of individualized intelligence tests, formal and informal diagnostic procedures; and

(III) Practical application of behavior management.

(7) An applicant for a Missouri certificate to teach students with Severe Developmental Disabilities (Grades K-12) who possesses a baccalaureate degree in Special Education from a college or university having an educator preparation program approved by the department or from a college or university having an educator preparation program approved by the state agency in states other than Missouri may be granted an initial Missouri certificate of license to teach students with Severe Developmental Disabilities subject to the certifica-

tion requirements found in 5 CSR 20-400.500 and the following additional certification requirements:

(A) Professional Requirements—a minimum of sixty (60) semester hours of professional preparation. Competency must be demonstrated to the satisfaction of the educator preparation institution for each topic listed—

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationships between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving;

F. English Language Learning;

G. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in perspective instruction); and

H. Career Education or Career Readiness;

2. Individual Student Needs: Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management;

E. Behavior Management;

F. Cultural Diversity;

G. Physical and Psychological Considerations of the Developmentally Disabled;

H. Language Development of the Exceptional Child;

I. Perceptual Motor Training;

J. Managing Physical and Health Problems;

K. Non-verbal Communication Skills; and

L. Functional Skills Measurement;

3. Schools and the Teaching Profession: Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching;

4. Teaching and Learning Strategies (minimum requirement of twenty-eight (28) semester hours)—

A. Elementary Literacy (three (3) courses required, minimum total of nine (9) semester hours) to include coursework in reading and writing, and to include instructional interventions for students with reading deficits;

B. Children's Literature;

C. Language Arts;

D. Science;

E. Social Science to include Geography and Economics;

F. Art;

G. Music;

H. Adapted Physical Education;

I. Technology in Education; and

J. Mathematics (two (2) courses required, minimum of six (6) total semester hours) to include instructional interventions for students with mathematics deficits; and

5. Field and Clinical Experiences (ten (10) semester hours). Field and clinical experiences should be appropriate to the progress of the candidate through the program and should be supervised through a close partnership of highly-qualified professionals in appropriate school settings—

A. Early and Mid-Level Field Experiences (two (2) semester hour). This field experience must be in a regular classroom setting prior to the culminating field experience—

(I) Persons certificated in Behaviorally Disordered, Mentally Handicapped, Physical and Other Health Impairments, or

Learning Disabled may meet this clinical experiences requirement by the satisfactory completion of at least three (3) semester hours of Practicum with Deaf and Hearing Impaired students;

B. Culminating Clinical Experience (eight (8) semester hours with a minimum of twelve (12) weeks in one (1) placement). The experience refers to placements typically in the final sequence leading up to and including student teaching. Candidates actively participate and complete regular assignments, work with students as requested, and under the supervision of the classroom teacher(s) and/or other specialists. The clinical experience must include opportunities to collaborate with other educators to support student learning. The following activities should be included:

- (I) Teaching severely developmentally disabled students;
- (II) Interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in prescriptive instruction; and
- (III) Practical application of behavior management techniques.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.570 Certification Requirements for English for Speakers of Other Languages (Grades K-12)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach English for Speakers of Other Languages.

(1) An applicant for a Missouri certificate of license to teach English for Speakers of Other Languages (ESOL) who possesses good moral character may be granted an initial Missouri certificate of license to teach ESOL subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to ESOL:

(A) General Requirements—

1. A valid Missouri permanent or professional certificate of license to teach.

(B) Professional Requirements—

1. Psychology and/or Education of the Exceptional Child, including the gifted, three (3) semester hours;

2. Literacy (minimum of six (6) semester hours) to include coursework in methods of teaching reading and writing, and to include instructional interventions for students with reading deficits; and

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the Missouri Department of Elementary and Secondary Education (department).

(C) Content Knowledge for Teaching (minimum requirement of eighteen (18) semester hours)—

- 1. Linguistics and English Linguistics;
- 2. Language and Culture or Sociolinguistics;
- 3. Second Language Acquisition;
- 4. Instructional Techniques for Teaching Second Language Students;
- 5. Curriculum for Teaching English to Speakers of Other Languages; and
- 6. Assessment Strategies for Speakers of Other Languages.

(D) Field and Clinical Experiences (three (3) semester hours)—

1. Culminating Clinical Experience. A supervised clinical experience in which the candidates acquire experience in planning for and working with ESOL students in various instructional settings in both elementary and secondary schools. The clinical experience should include collaborating with other educators to support student learning.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.580 Certification Requirements for Gifted Education (Grades K-12)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Gifted Education.

(1) An applicant for a Missouri certificate of license to teach Gifted Education who possesses good moral character may be granted an initial Missouri certificate of license to teach Gifted Education subject to the certification requirements found in 5 CSR 20-400.500 and

the following additional certification requirements specific to Gifted Education:

(A) General Requirements—

1. A valid Missouri permanent or professional certificate of license to teach;
2. Two (2) years of classroom teaching experience; and
3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the Missouri Department of Elementary and Secondary Education (department);

(B) Professional Requirements—

1. Psychology and/or Education of the Exceptional Child, including the gifted (minimum of two (2) semester hours);

(C) Content Knowledge for Teaching—

1. A Survey of Gifted and Talented Education;
2. Programming Planning and Development: An Understanding of Administration and Supervision of Gifted Programs;
3. Screening, Assessing, and Evaluating Gifted Students;
4. Curriculum and Instruction for the Gifted;
5. Meeting the Affective Needs of Gifted Students; and
6. A minimum of one (1) graduate course in research procedures; and

(D) Field and Clinical Experience (three (3) semester hours)—

1. Culminating Clinical Experience. A supervised clinical experience in which candidates acquire experience in planning for and working with gifted students in various instructional settings in both elementary and secondary schools. The clinical experience should include collaboration with other educators to support student learning.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.590 Certification Requirements for Mathematics Specialists (Grades 1-6)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to serve as Mathematics Specialist.

(1) An applicant for a Missouri certificate of license to serve as Mathematics Specialist who possesses good moral character may be granted an initial Missouri certificate of license to serve as Mathematics Specialist subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to certificates of license for Mathematics Specialists:

(A) General Requirements—

1. A valid Missouri permanent or professional certificate of license to teach;
2. Two (2) years of successful mathematics teaching experience;
3. A recommendation from the designated certification official from an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department); and
4. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

(B) Professional Requirements (minimum of twenty-four (24) semester hours beyond initial certification)—

1. Mathematical Content Knowledge—

A. Mathematics Knowledge—concepts, structures, skills, and processes of school mathematics from an advanced perspective including number/operation; geometry/measurement; algebra; probability and statistics; and

B. Specialized Mathematics Knowledge of Teaching—mathematics that relates to helping students understand school mathematics, often referred to as Mathematics Knowledge for Teaching (MKT);

2. Pedagogical Content Knowledge (PCK) for Mathematics—

A. Understanding of how students and adults learn mathematics;

B. Effective teaching strategies for supporting mathematics learning;

C. Curriculum trajectories, materials, standards, and methods for aligning curriculum systems; and

D. Evaluation of mathematical abilities and achievement including formal and informal diagnostic procedures and in prescriptive instruction;

3. Foundations of Leadership—

A. Effective communication strategies within and outside school;

B. Professional development expertise ability to plan, develop, implement, and evaluate learning environments for educators;

C. Ability to establish and nurture professional communities of learners—students, parents, and educators; and

D. Informed about and contribute to policy and professional organization work related to teaching and learning mathematics; and

4. Field and Clinical Experiences (three (3) semester hours)—

A. Culminating Clinical Experience. A supervised clinical placement in which candidates acquire experience working with a full range of students and educators in various professional development settings.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department

of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.600 Certification Requirements for Special Reading (Grades K-12)

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Special Reading.

(1) An applicant for a Missouri certificate of license to teach Special Reading who possesses good moral character may be granted an initial Missouri certificate of license to teach Special Reading subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Special Reading:

(A) General Requirements—

1. A valid Missouri permanent or professional certificate of license to teach;
2. Two (2) years of classroom teaching experience;
3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the Missouri Department of Elementary and Secondary Education (department); and
4. A recommendation from the designated certification official from an educator preparation program approved by the department;

(B) Professional Requirements—

1. Child Psychology (requirement may be met upon completion of at least three (3) semester hours of combined course, Child and Adolescent Psychology);
2. Adolescent Psychology (requirement may be met upon completion of at least three (3) semester hours of combined course, Child and Adolescent Psychology);
3. Psychology and/or Education of the Exceptional Child (including the gifted); and
4. Evaluation of Abilities and Achievement (instruction in interpretation of individualized intelligence tests, formal and informal diagnostic procedures, and in prescriptive instruction);

(C) Content Knowledge for Teaching—

1. Reading (at least two (2) graduate-level courses required, minimum total of six (6) semester hours; one (1) of these courses shall be in Analysis and Correction of Reading Disabilities);
2. Language Acquisition and Development or Language Development of the Exceptional Child;
3. Behavior Management Techniques; and
4. Counseling Techniques (to include communication skills with exceptional children and families of exceptional children); and

(D) Field and Clinical Experiences Culminating Clinical Experiences (six (6) semester hours)—

1. Culminating Clinical Experience. A supervised clinical experience in which candidates acquire experience in planning for and working with students experiencing reading difficulties. The experience must include various instructional settings in both elementary

and secondary schools. The clinical experience should require demonstrated competency in the diagnosis and remediation of reading and related difficulties. Candidates must demonstrate proficiency in establishing an environment that promotes learning. The clinical experience should include collaborating with other educators to support learning.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.610 Certification Requirements for Initial Administrator Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Initial Administrator Certificate.

(1) An applicant for a Missouri Initial Administrator Certificate (Career Education Director, Secondary/Postsecondary) who possesses good moral character may be granted an Initial Administrator Certificate (Career Education Director, Secondary/Postsecondary) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Education Directors (Secondary/Postsecondary):

(A) Professional Requirements. An Initial Administrator Certificate (Career Education Director, Secondary/Postsecondary) valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. A permanent, professional, or career education Missouri certificate of license to teach;
2. A minimum of two (2) years career education or secondary/postsecondary subject area teaching experience approved by the Missouri Department of Elementary and Secondary Education (department);

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology and/or Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a college or university or the equivalent thereof from another educational leadership program meeting approval of the department; and

6. Recommendation for certification from the designated official of a college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of elementary principals which includes at least twenty-four (24) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses focused upon administration and supervision of the elementary school. The approved graduate credit shall include:

A. Specific courses (must be separate graduate courses of at least three (3) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) Career Education Administration (including Adult Education);

(III) Career Education Curriculum;

(IV) School Supervision; and

(V) School Law;

B. Knowledge and/or competency in each of the following areas:

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting a positive school culture;

(b) Providing an effective instructional program;

(c) Designing comprehensive professional growth plans;

and

(d) Data and assessment;

(III) Management of Organizational Systems—

(a) Managing the organizational structure;

(b) Leading personnel;

(c) Managing resources; and

(d) Processes of effective evaluation of educators;

(IV) Collaboration with Families and Stakeholders—

(a) Collaborating with families and other community

members;

(b) Responding to community interests and needs; and

(c) Mobilizing community resources;

(V) Ethics and Integrity—

(a) Personal and professional responsibilities; and

(VI) Professional Development—

(a) Increase knowledge and skills based on best practices;

tices;

(B) Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in career education administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.

2. Culminating Clinical Experience. The final internship in career education administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and

preparation program supervisors.

(2) An applicant for a Missouri Initial Administrator Certificate (Elementary Principal, Grades K-8) who possesses good moral character may be granted an Initial Administrator Certificate (Elementary Principal, Grades K-8) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Elementary Principals (Grades K-8):

(A) Professional Requirements. An Initial Administrator Certificate (Elementary Principal, Grades K-8), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. A permanent, professional, or career education Missouri certificate of license to teach;

2. A minimum of two (2) years of successful teaching experience approved by the department;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology and/or Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a college or university or other educational leadership program meeting approval of the department;

6. Recommendation for certification from the designated official of a college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of secondary principals which includes at least twenty-four (24) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses focused upon administration and supervision of the secondary school. The approved graduate credit shall include:

A. Specific courses (must be separate graduate courses of at least three (3) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) Elementary Administration;

(III) Elementary Curriculum;

(IV) School Supervision; and

(V) School Law;

B. Knowledge and/or competency in each of the following areas:

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting a positive school culture;

(b) Providing an effective instructional program;

(c) Designing comprehensive professional growth plans;

and

(d) Data and assessment;

(III) Management of Organizational Systems—

(a) Managing the organizational structure;

(b) Leading personnel;

(c) Managing resources; and

(d) Processes of effective evaluation of educators;

(IV) Collaboration with Families and Stakeholders—

(a) Collaborating with families and other community

members;

(b) Responding to community interests and needs; and

(c) Mobilizing community resources;

(V) Ethics and Integrity—

(a) Personal and professional responsibilities; and

(VI) Professional Development—

(a) Increase knowledge and skills based on best practices.

(B) Field and Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in elementary school administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.

2. Culminating Clinical Experience: The final internship in elementary school administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors.

(3) An applicant for a Missouri Initial Administrator Certificate (Middle School Principal, Grades 5-9) who possesses good moral character may be granted an Initial Administrator Certificate (Middle School Principal, Grades 5-9) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Middle School Principals (Grades 5-9):

(A) Professional Requirements. An Initial Administrator Certificate (Middle School Principal, Grades 5-9), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. Professional Requirements: An Initial Administrator Certificate (middle school principal), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

A. The applicant shall hold a valid Missouri professional elementary or secondary, initial, transition, or career, principal's certificate;

B. The applicant shall have a recommendation for certification as a middle school principal from the designated official of the college or university or other educational leadership program approved to train principals by the department. The recommendation shall be based upon the completion of the planned program;

C. The applicant shall have earned undergraduate or graduate credit as follows:

(I) Methods of Teaching Reading (minimum of five (5) semester hours to include one (1) course in Techniques of Teaching Reading in the Content Fields); and

(II) Methods of Teaching Elementary Mathematics (minimum of two (2) semester hours); and

D. The applicant shall have completed a planned program of at least six (6) semester hours in education courses, or an equivalent thereof which is approved by the department, focusing on: middle school philosophy, organization, and curriculum; and the intellectual, physiological, emotional, and social development of the transcendent child (ten (10)-fourteen (14) year-old).

(4) An applicant for a Missouri Initial Administrator Certificate (Secondary Principal, Grades 7-12) who possesses good moral character may be granted an Initial Administrator Certificate (Secondary Principal, Grades 7-12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Secondary Principals (Grades 7-12):

(A) Professional Requirements. An Initial Administrator Certificate (Secondary Principal, Grades 7-12), valid for a period of four (4) years from the effective date on the certificate, will be issued to applicants meeting the following requirements:

1. A permanent or professional Missouri certificate of license

to teach;

2. A minimum of two (2) years of successful teaching experience approved by the department;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology and/or Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a college or university or other educational leadership program meeting approval of the department;

6. Recommendation for certification from the designated official of a college or university or other educational leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of secondary principals which includes at least twenty-four (24) semester hours of approved graduate credit, or an equivalent thereof which is approved by the department, in education courses focused upon administration and supervision of the secondary school. The approved graduate credit shall include:

A. Specific courses (must be separate graduate courses of at least three (3) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) Secondary Administration;

(III) Secondary Curriculum;

(IV) School Supervision; and

(V) School Law;

B. Knowledge and/or competency in each of the following areas—

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting a positive school culture;

(b) Providing an effective instructional program;

(c) Designing comprehensive professional growth plans;

and

(d) Data and assessment;

(III) Management of Organizational Systems—

(a) Managing the organizational structure;

(b) Leading personnel;

(c) Managing resources; and

(d) Processes of effective evaluation of educators;

(IV) Collaboration with Families and Stakeholders—

(a) Collaborating with families and other community

members;

(b) Responding to community interests and needs; and

(c) Mobilizing community resources;

(V) Ethics and Integrity—

(a) Personal and professional responsibilities; and

(VI) Professional Development—

(a) Increase knowledge and skills based on best practices;

to teach;

(B) Field and Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in secondary school administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.

2. Culminating Clinical Experience. The final internship in secondary school administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors.

(5) An applicant for a Missouri Initial Administrator Certificate (Special Education Director) who possesses good moral character may be granted an Initial Administrator Certificate (Special Education Director) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Special Education Directors:

(A) Professional Requirements. An Initial Administrator Certificate (Special Education Director) valid for a period of four (4) years from the effective date on the certificate will be issued to applicants meeting the following requirements:

1. A permanent or professional certificate of license to teach in an area of special education or student services;

2. A minimum of two (2) years special education or student services experience approved by the department;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology and/or Education of the Exceptional Child;

5. Completion of a master's degree in educational leadership from a college or university or other education leadership program meeting approval of the department;

6. Recommendation for certification from the designated official of a college or university or other education leadership program approved by the department. This recommendation shall be based upon the completion of a planned program for preparation of educational leaders which includes at least twenty-four (24) semester hours of approved graduate credit, or another equivalent thereof which is approved by the department, in education courses focused upon Special Education administration. The approved graduate credit shall include:

A. Specific courses (must be separate graduate courses of at least three (3) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) Special Education Administration;

(III) Differentiating Instruction in the General Education Curriculum;

(IV) School Supervision; and

(V) School Law, to include Special Education Law;

B. Knowledge and/or competency in each of the following areas—

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting a positive school culture;

(b) Providing an effective instructional program;

(c) Designing comprehensive professional growth plans;

and

(d) Data and assessment;

(III) Management of Organizational Systems—

(a) Managing the organizational structure;

(b) Leading personnel;

(c) Managing resources; and

(d) Processes of effective evaluation of educators;

(IV) Collaboration with Families and Stakeholders—

(a) Collaborating with families and other community

members;

(b) Responding to community interests and needs; and

(c) Mobilizing community resources;

(V) Ethics and Integrity—

(a) Personal and professional responsibilities; and

(VI) Professional Development—

(a) Increase knowledge and skills based on best practices;

(B) Field and Clinical Experiences (three (3) semester hours with a minimum of three hundred (300) clock hours)—

1. Early Field Experience. The initial internship in special education administration includes placements in which interns have the opportunity to observe the importance and implementation of a school's vision, mission, and goals; focus on teaching and student learning; effective management of organizational systems; importance of collaborating with families and stakeholders; maintaining ethical standards and integrity; and the role of continuous improvement through professional development. The intern may work with students, faculty, staff, and stakeholders as requested and under the supervision of the on-site supervisor.

2. Culminating Clinical Experience. The final internship in special education administration builds upon the earlier field experience and provides the intern an opportunity to lead and direct specific activities. Interns are active participants completing required assignments and as requested working with students, faculty, staff, and stakeholders while under the supervision of the on-site and preparation program supervisors.

(6) An applicant for a Missouri Initial Administrator Certificate (Superintendent, Grades K-12) who possesses good moral character may be granted an Initial Administrator Certificate (Superintendent, Grades K-12) subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Superintendents:

(A) Professional Requirements. An Initial Administrator certificate, valid for a period of four (4) years from the date of issuance, will be issued to applicants meeting the following requirements:

1. A permanent or professional Missouri certificate of license to teach;

2. A minimum of three (3) years of experience as a building- or district-level administrator at a public or accredited nonpublic school;

3. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department;

4. Completion of a course in Psychology and/or Education of the Exceptional Child;

5. Completion of an educational specialist or advanced degree program in educational leadership and recommendation from the designated official of a college or university or other education leadership program approved by the department, which shall include:

A. Specific courses (must be separate graduate courses of at least three (3) semester hours)—

(I) Foundations of Educational Administration, including components of Career and Special Education;

(II) School Supervision; and

(III) School Law;

B. Knowledge and/or competency in each of the following areas:

(I) Vision, Mission, and Goals—

(a) Developing and articulating a vision; and

(b) Implementing and stewarding a vision;

(II) Teaching and Learning—

(a) Promoting positive school culture;

(b) Promoting effective instructional programs;

(c) Ensuring comprehensive professional growth plans;

and

(d) Data and assessment;

- (III) Management of Organizational Systems—
 - (a) Managing the organizational structure;
 - (b) Leading personnel;
 - (c) Managing resources; and
 - (d) Processes of effective evaluation of educators;
 - (IV) Collaboration with Families and Stakeholders—
 - (a) Collaborating with families and other community members;
 - (b) Responding to community interests and needs; and
 - (c) Mobilizing community resources;
 - (V) Ethics and Integrity—
 - (a) Personal and professional responsibilities;
 - (VI) The Education System—
 - (a) Understanding the larger context;
 - (b) Responding to the larger context; and
 - (c) Influencing the larger context;
 - (VII) Professional Development—
 - (a) Increasing knowledge and skills based on best practices; and
- C. Directed field experiences in superintendency of at least three (3) semester hours.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.620 Certification Requirements for Transition Administrator Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Transition Administrator Certificate.

(1) An applicant for a Missouri Transition Administrator Certificate who possesses good moral character may be granted a Transition Administrator Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Transition Administrator Certificates:

(A) The Transition Administrator Certificate, valid for a period of six (6) years from the effective date on the certificate, will be issued upon completion and verification of the following:

1. For applicants seeking a Transition Administrator Certificate for either Career Education Director (Secondary/Postsecondary); Elementary Principal (Grades K-8); Middle School Principal (Grades 5-9); Secondary Principal (Grades 7-12); or Special Education Director (Grades K-12)—

A. Four (4) years of administrator experience approved by the Missouri Department of Elementary and Secondary Education (department);

B. Participation in two (2) years of district-provided mentoring (during the first two (2) years of administrator experience);

C. The development, implementation, and completion of a professional development plan of at least one hundred twenty (120) contact hours of professional development based on standards and quality indicators as required by the State Board of Education (board), or eight (8) semester hours of graduate credit toward an advanced degree in educational leadership, reading/literacy, or curriculum/instruction, or a combination of credits/professional development; and

D. Successful participation in an annual performance-based principal's evaluation.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.630 Certification Requirements for Career Continuous Administrator Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Continuous Administrator Certificate.

(1) An applicant for a Missouri Career Continuous Administrator Certificate who possesses good moral character may be granted a Career Continuous Administrator Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Continuous Administrator Certificates:

(A) The Career Continuous Administrator Certificate for either Career Education Director (Secondary/Postsecondary); Elementary Principal (Grades K-8); Middle School Principal (Grades 5-9);

Secondary Principal (Grades 7-12); or Special Education Director (Grades K-12) will be issued upon completion and verification of the following:

1. Completion of an educational specialist degree or higher in educational leadership, reading/literacy, or curriculum/instruction;
2. Successful participation in an annual performance-based principal evaluation;
3. Participation in thirty (30) contact hours of professional development annually; and
4. Four (4) years of administrator experience approved by the Missouri Department of Elementary and Secondary Education (department);

(B) The holder of a Career Continuous Administrator Certificate for either Career Education Director (Secondary/Postsecondary); Elementary Principal (Grades K-8); Middle School Principal (Grades 5-9); Secondary Principal (Grades 7-12); or Special Education Director (Grades K-12) is exempt from the thirty (30) contact hours of professional development if the holder has a local professional development plan in place with the school and meets at least two (2) of the following:

1. Ten (10) years of administrator experience approved by the department;
2. An educational specialist or higher degree in educational leadership, curriculum and instruction, or reading/literacy from a regionally accredited college or university; and/or
3. Certification from a nationally recognized professional administrator organization approved by the State Board of Education (board);

(C) The Career Continuous Administrator Certificate for applicants seeking a Career Continuous Administrator Certificate for Superintendent will be issued upon completion and verification of the following:

1. Four (4) years of district-level administrator experience approved by the department;
2. Participation in one (1) year of district-provided mentoring (during the first year of superintendent experience);
3. The development, implementation, and completion of a professional development plan of at least one hundred twenty (120) contact hours of professional development based on standards and quality indicators as required by the board, or eight (8) semester hours of graduate credit toward a doctorate degree in educational leadership, or a combination of credits/professional development; and
4. Successful participation in an annual performance-based evaluation;

(D) The Career Continuous Administrator Certificate for Superintendent will remain valid based upon verification by the employing school district that the certificate holder—

1. Participated in a performance-based evaluation; and
2. Completed thirty (30) contact hours of professional development, or two (2) semester hours of graduate credit toward a doctorate degree in educational leadership, or a combination of professional development and graduate credit each year; and

(E) The holder of a Career Continuous Administrator Certificate for Superintendent is exempt from the thirty (30) contact hours of annual professional development if the holder has a local professional development plan in place with the school and meets at least two (2) of the following:

1. Ten (10) years of administrator experience approved by the department;
2. A doctorate degree in educational leadership from a regionally accredited college or university; and/or
3. Certification from a nationally recognized professional administrator organization approved by the board.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.640 Certification Requirements for Initial Student Services Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Initial Student Services Certificate.

(1) An applicant for a Missouri Initial Student Services Certificate, valid for a period of four (4) years, may be granted an Initial Student Services Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional requirements:

(A) The Initial Student Services Certificate for Career Education Counselor, valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. The applicant must have secured a Career Education Counselor position in their area of professional/technical preparation and/or training and the employing school district or postsecondary institution must request and endorse certification for the applicant;
2. The applicant must either—
 - A. Possess a bachelor's degree in education from an educator preparation program approved by the Missouri Department of Elementary and Secondary Education (department); or
 - B. Possess a permanent or professional or a career education certificate of license to teach; and

3. Completion of a minimum of a master's degree from an accredited institution in one (1) of the following areas: education, school counseling, counseling, rehabilitation counseling, vocational evaluation, counseling psychology, or a closely-related mental health discipline; and complete additional graduate coursework specific to school counseling, as designated by the recommending certification official approved by the department, including a supervised internship or field experience of at least three hundred (300) hours in an appropriate school setting;

(B) The Initial Student Services Certificate for Elementary Counselor (Grades K-8), valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Recommendation for certification from the designated official of a counselor preparation program approved by the department;

2. Completion of a course in Psychology and/or Education of the Exceptional Child; and

3. The applicant must possess either—

A. Completion of a master's degree with a major emphasis in guidance and counseling from a college or university meeting approval of the department based upon the completion of a planned program of at least forty-two (42) semester hours of approved graduate credit in courses in guidance and counseling with at least twelve (12) semester hours focused upon guidance in the elementary schools—

(I) Knowledge and/or competency in each of the following areas:

- (a) Student Development—
 - I. Human Growth and Development;
 - II. Counseling Theories and Interventions;
 - III. Helping Relationships;
 - IV. Social and Cultural Diversity;
 - V. Appraisal of Student Growth and Achievement;

and

- VI. Career Development and Planning;
- (b) Program Implementation—
 - I. Structural Components;
 - II. Program Components;
 - III. Technology; and
 - IV. Program, Personnel, and Results Evaluation;
- (c) Professional Relationships—
 - I. Interpersonal Skills;
 - II. Collaboration;
 - III. Consultation Theories and Strategies; and
 - IV. School and Community Involvement;
- (d) Leadership and Advocacy—
 - I. Personal Well-Being;
 - II. Leadership and Professionalism;
 - III. Student Advocacy;
 - IV. Program Leadership; and
 - V. School Climate and Culture;
- (e) Ethical and Professional Conduct—
 - I. Ethical Standards;
 - II. Professional Standards;
 - III. District and School Policies; and
 - IV. Legal Requirements; and

(II) Field and Clinical Experience (three (3) semester hours minimum of three hundred (300) clock hours)—

(a) Culminating Clinical Experience. This refers to an elementary school placement(s) in which candidates actively participate and complete class assignments and work with students as requested while under the supervision of a counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising counselor, preparation program supervisors, and/or other stakeholders working to improve student learning;

B. A master's degree or higher degree in education, school counseling, counseling, counseling psychology, rehabilitation counseling, or a closely related mental health discipline; and completed additional graduate coursework specific to school counseling, as designated by the recommending certification official approved by the department; along with the following:

(I) Possess a bachelor's degree in education from a educator preparation program approved by the department; or

(II) Complete a curriculum in teaching methods and practices, classroom management, and the psychology of the exceptional child, as specified by the recommending certification officer of a program approved by the department; and

(III) Field and Clinical Experience (minimum of three hundred (300) clock hours)—

(a) Culminating Clinical Experience. This refers to an elementary school placement(s) in which candidates actively participate and complete class assignments and work with students as

requested while under the supervision of a counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising counselor, preparation program supervisors, and/or other stakeholders working to improve student learning; and

4. Must achieve a score equal to or in excess of the qualifying score of any assessment(s) required by the State Board of Education (board). The official score report shall be submitted to the department;

(C) The Initial Student Services Certificate for Secondary Counselor (Grades 7-12), valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Recommendation for certification from the designated official of an approved counselor preparation program;

2. Completion of a course in Psychology and/or Education of the Exceptional Child; and

3. The applicant must possess either—

A. A master's degree with a major emphasis in guidance and counseling from a college or university meeting approval of the department based upon the completion of a planned program of at least forty-two (42) semester hours of approved graduate credit in courses in guidance and counseling with at least twelve (12) semester hours focused upon guidance in secondary schools—

(I) Knowledge and/or competency in each of the following areas:

- (a) Student Development—
 - I. Human Growth and Development;
 - II. Counseling Theories and Interventions;
 - III. Helping Relationships;
 - IV. Social and Cultural Diversity;
 - V. Appraisal of Student Growth and Achievement;

and

- VI. Career Development and Planning;
- (b) Program Implementation—
 - I. Structural Components;
 - II. Program Components;
 - III. Technology; and
 - IV. Program, Personnel, and Results Evaluation;
- (c) Professional Relationships—
 - I. Interpersonal Skills;
 - II. Collaboration;
 - III. Consultation Theories and Strategies; and
 - IV. School and Community Involvement;
- (d) Leadership and Advocacy —
 - I. Personal Well-Being;
 - II. Leadership and Professionalism;
 - III. Student Advocacy;
 - IV. Program Leadership; and
 - V. School Climate and Culture; and
- (e) Ethical and Professional Conduct—
 - I. Ethical Standards;
 - II. Professional Standards;
 - III. District and School Policies; and
 - IV. Legal Requirements; and

(II) Field and Clinical Experience (minimum of three hundred (300) clock hours)—

(a) Culminating Clinical Experience. This refers to a secondary school placement(s) in which candidates actively participate and complete class assignments and work with students as requested while under the supervision of a counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising counselor, preparation program supervisors, and/or other stakeholders working to improve student learning.

B. A master's degree or higher degree in education, school counseling, counseling, counseling psychology, rehabilitation counseling, or a closely related mental health discipline; and completed

additional graduate coursework specific to school counseling, as designated by the recommending certification official approved by the department; along with the following:

(I) Possess a bachelor's degree in education from a educator preparation program approved by the department; or

(II) Complete a curriculum in teaching methods and practices, classroom management, and the psychology of the exceptional child, as specified by the recommending certification officer of a program approved by the department; and

(III) Field and Clinical Experience (minimum of three hundred (300) clock hours)—

(a) Culminating Clinical Experience: This refers to an elementary school placement(s) in which candidates actively participate and complete class assignments and work with students as requested while under the supervision of a counselor. The candidate should experience a wide range of class settings and have opportunities to collaborate with the supervising counselor, preparation program supervisors, and/or other stakeholders working to improve student learning;

4. Must achieve a score equal to or in excess of the qualifying score of any assessment(s) required by the board. The official score report shall be submitted to the department;

(D) The Initial Student Services Certificate for School Psychological Examiner (Grades K-12), valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Completion of a master's degree from a college or university meeting approval of the department in one (1) of the following areas:

- A. Counseling Psychology;
- B. Educational Psychology;
- C. School Counseling; and
- D. Education;

2. Recommendation for certification from the designated official of an approved Psychological Examiner preparation program;

3. Completion of a course in Psychology and/or Education of the Exceptional Child; and

4. A minimum of twenty-four (24) semester hours of professional preparation at the graduate level with competencies demonstrated in all areas listed to the satisfaction of an approved preparation program—

A. Courses Areas—

(I) Psychological Development: Child, Adolescent, or Developmental Psychology;

(II) Psychology of Education;

(III) Statistical Methods;

(IV) Mental Hygiene or Psychology of Personality;

(V) Psychological Tests and Measures for the Analysis of Student Performance;

(VI) Individual Intelligence Tests; and

(VII) Individual Diagnostic Assessment (other than the Wechsler Intelligence Scale for Children and the Stanford-Binet Intelligence Scale);

B. Competencies—

(I) Methods and/or Techniques of Interpretation of Tests;

(II) Analysis and Diagnosis of Learning Problems, including special consideration of low-incidence populations;

(III) Interpretation of Formal and Informal Diagnostic Assessments and their Application for Prescriptive Instruction;

(IV) Utilization of Knowledge of Classroom Environment, Psychological Principles, and Test Data to Plan for Management of Special Needs Children;

(V) Diagnostic Interviewing Techniques;

(VI) Process of Staffing with Other Professionals to Develop Instructional Strategies; and

(VII) Administration and Interpretation of the Wechsler Intelligence Scale for Children and the Stanford-Binet Intelligence Scale; and

C. Field and Clinical Experiences (minimum of one hundred

fifty (150) clock hours)—

(I) Culminating Clinical Experience. This culminating clinical experience must be in an educational or clinical setting with children and youth of school and the administration and interpretation of individual intelligence tests, formal and informal diagnostic procedures, and the application of the information to develop instructional strategies;

(E) The Initial Student Services Certificate for School Psychologist, valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Completion of a specialist or higher degree with a major emphasis in school psychology from an approved School Psychologist preparation program;

2. Recommendation for certification from the designated official of a School Psychologist preparation program approved by the department;

3. A minimum of sixty (60) semester hours of professional preparation at the graduate level with competencies demonstrated in all areas listed to the satisfaction of an approved School Psychologist preparation program—

A. Psychological Foundations—

(I) Biological Bases of Behavior;

(II) Human Learning;

(III) Social and Cultural Bases of Behavior;

(IV) Child and Adolescent Development;

(V) Individual Differences, including human exceptionalities; and

(VI) Developmental Psychology;

B. Educational Foundations—

(I) Instructional Design; and

(II) Organization and Operations of Schools;

C. Interventions/Problem Solving—

(I) Diverse Methods and Models of Assessment;

(II) Linked to Direct Interventions; and

(III) Linked to Indirect Interventions;

D. Statistics and Research Methodologies—

(I) Statistics;

(II) Research and Evaluation Methods; and

(III) Measurement; and

E. Professional School Psychology—

(I) History and Foundations of School Psychology;

(II) Legal and Ethical Issues;

(III) Professional Issues and Standards;

(IV) Alternative Models for Delivery of School Psychological Services;

(V) Emergent Technologies; and

(VI) Roles and Functions of the School Psychologist; and

4. Competencies—

A. Data Based Decision Making and Accountability. Use models and methods of assessment as part of a systematic process to collect data and translate assessment results into decisions about service delivery;

B. Interpersonal Collaboration and Consultation. Use consultation models and methods in collaboration with others at the individual, group, and system levels;

C. Effective Instruction and Development of Cognitive/Academic Skills. Develop appropriate cognitive and academic goals, implement interventions to achieve these goals, and evaluate the effectiveness of interventions;

D. Socialization and Development of Life Competencies. Use knowledge of human development to develop appropriate behavioral, affective, adaptive, and social goals for students, implement interventions to achieve these goals, and evaluates the effectiveness of instruction. This may be accomplished through consultation, behavior analysis/intervention, counseling, or other interventions;

E. Student Diversity in Development and Learning. Demonstrate sensitivity and skills needed to work with individuals of diverse characteristics. Implement strategies selected and/or adapted

based on individual characteristics, strengths, and needs;

F. School and Systems Structure, Organization, and Climate. Demonstrate knowledge and understanding of general education, special education, and other educational settings as systems;

G. Prevention, Crisis Intervention, and Mental Health Services. Demonstrate understanding of human development and psychopathology, and how prevention and intervention programs promote the mental health and physical well-being of students;

H. Home/School/Community Collaboration. Demonstrate an understanding of family systems and how these influence student development, learning, and behavior;

I. Research and Program Evaluation. Demonstrate an understanding of research, statistics, and program evaluation methods;

J. School Psychology Practice and Professional Development. Demonstrate knowledge of the history, foundations, ethical, and legal standards of professional school psychology; and

K. Information and Technology. Demonstrate an understanding of information sources and technology relevant to their work; and

5. The applicant must achieve a score equal to or in excess of the qualifying score on the required exit assessment(s) as defined in 5 CSR 20-400.310 and 5 CSR 20-400.440. The official score shall be submitted to the department; and

6. Field and Clinical Experiences (minimum of one (1) year or one thousand two hundred (1,200) clock hours)—

A. Culminating Clinical Experience. This culminating clinical experience must be a planned program of experiences and supervised internship designed to achieve these competencies as part of an approved graduate degree program in school psychology. At least half of the internship completed in an educational setting. This internship experience will include opportunities to demonstrate skills learned in all coursework; and

(F) The Initial Student Services Certificate for Speech and Language Pathologist (Birth-Grade 12), valid for a period of four (4) years from the effective date of the certificate, will be issued to those persons meeting the following requirements:

1. Professional Requirements—

A. Possession of a master's or higher degree from a program for speech-language pathologists approved by the department; and

B. Possession of a valid, unencumbered, undisciplined Missouri license to teach Speech and Language Pathology from the Missouri Board of Registration for the Healing Arts.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.650 Certification Requirements for Career Continuous Student Services Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Continuous Student Services Certificate.

(1) An applicant for a Career Continuous Student Services Certificate who possesses good moral character may be granted a Career Continuous Student Services Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Continuous Student Services Certificates:

(A) The Career Continuous Student Services Certificate will be issued upon completion and verification of the following:

1. Four (4) years of experience approved by the Missouri Department of Elementary and Secondary Education (department) in specific area of Student Services Certification;

2. Participation in two (2) years of district-provided mentoring (during the first two (2) years of student services experience);

3. The development, implementation, and completion of a professional development plan of at least forty (40) contact hours of professional development, or three (3) semester hours of graduate credit toward an advanced degree; and

4. Successful participation in an annual performance-based evaluation;

(B) The Career Continuous Student Services Certificate will remain valid upon verification of the following:

1. Continued participation in a performance-based evaluation; and

2. Completion of twenty (20) contact hours of professional development annually;

(C) The Career Continuous Student Services Certificate holder is exempt from additional professional development if the holder has a local professional development plan in place with the school and meets at least two (2) of the following:

1. For the Career Continuous Student Services–Career Education Counselor Certificate—

A. Ten (10) years of Career Education Counselor experience approved by the department;

B. An education specialist degree in School Counseling or a closely related field; and/or

C. Certification from a nationally recognized professional Counseling organization approved by the State Board of Education (board);

2. For the Career Continuous Student Services–Elementary Counselor (Grades K-8) Certificate—

A. Ten (10) years of School Counselor experience approved by the department;

B. An education specialist degree or higher in School Counseling or a closely related field; and/or

C. Certification from a nationally recognized professional School Counselor organization approved by the board;

3. For the Career Continuous Student Services–Secondary Counselor (Grades 7-12) Certificate—

A. Ten (10) years of School Counselor experience approved by the department;

B. An education specialist degree in School Counseling or a closely related field; and/or

C. Certification from a nationally recognized professional School Counselor organization approved by the board;

4. For the Career Continuous Student Services–School Psychological Examiner Certificate—

A. Ten (10) years of School Psychological Examiner experience approved by the department;

B. An education specialist degree in School Psychology or a closely related field; and/or

C. Certification from a nationally recognized professional School Psychology organization approved by the board;

5. For the Career Continuous Student Services–School Psychologist Certificate—

A. Ten (10) years of School Psychologist experience approved by the department;

B. An education specialist degree in School Psychology or a closely related field; and/or

C. Certification from a nationally recognized professional School Psychology organization approved by the board; and

6. For the Career Continuous Student Services–Speech and Language Pathologist (Birth–Grade 12) Certificate—

A. Ten (10) years of Speech and Language Pathologist experience approved by the department;

B. An education specialist degree in Speech and Language Pathology or a closely related field; and/or

C. Certification from a nationally recognized professional Speech and Language Pathology organization approved by the board.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katmik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.660 Certification Requirements for Career Education (Secondary) Certificates

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Education (Secondary) Certificates.

(1) An applicant for a Career Education (Secondary) Certificate who possesses good moral character may be granted a Career Education (Secondary) Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Education (Secondary) Certificates:

(A) General Requirements—

1. The applicant must submit a joint application verifying contracted employment from a Missouri educational institution; and
2. One (1) of the following:

A. Verification of a bachelor's degree or higher in an area appropriate for the subject area being taught, and four thousand (4,000) hours of related occupational experience approved by the Missouri Department of Elementary and Secondary Education (department) and obtained within the most recent ten (10) years; or

B. Verification of an associate's degree in an area appropriate for the subject area being taught, and five thousand (5,000) hours of related occupational experience from within the most recent ten (10) years and approved by the department; or

C. Verification of six thousand (6,000) hours of related occupational experience obtained within the most recent ten (10) years (only for Health Sciences and Skilled Technical Sciences areas) and approved by the department; and

3. Applicants for the specific area of Reserve Officers' Training Corps (ROTC) must submit a notarized letter from the appropriate branch of the armed services indicating that applicant is an approved Junior ROTC instructor;

(B) Professional Requirements—

1. Verification of coursework in education not to exceed eighteen (18) credit hours to include competencies appropriate for the certification area in: Curriculum; Methods; Assessment; Psychology of the Exception Child; Foundations/Implementation; and Coordination of Cooperative Education;

(C) Certificate Titles and Specific Requirements for Each Specific Area of Career Education Certification—

1. Family, Consumer Sciences, and Human Services—

A. Apparel and Textiles;

B. Cosmetologist (requires professional licensing);

C. Culinary Arts;

D. Family and Consumer Sciences Related Careers Cooperative Education;

E. Food and Beverage/Restaurant Operations Manager;

F. Food Production, Management, and Related Services;

G. Hospitality Administration/Management, General;

H. Housing and Home Environments;

I. Human Development/Adult Development and Aging (requires a minimum of an associate's degree); and

J. Human Development/Child Care (requires a minimum of an associate's degree);

2. Applicants for a Family and Consumer Sciences Career Education Certificate of license to teach in the specific area of Human Development/Child Care and Human Development/Adult Development and Aging must have a minimum of an associate's or higher degree in an area appropriate for the subject area being taught and comply with subsections (1)(A)-(B) general and professional requirements. Applicants in the areas of Apparel and Textiles; Cosmetologist; Culinary Arts; Family and Consumer Sciences Related Careers Cooperative Education; Food and Beverage/Restaurant Operations Manager; Food Production, Management and Related Services; Hospitality, Administration/Management, General; and Housing and Home Environments must comply with subsections (1)(A)-(B) general and professional requirements;

3. Health Sciences—

A. Dental Assistant (requires professional licensing);

B. Dental Laboratory Technician;

C. Emergency Medical Technology/Technician (requires professional licensing);

D. Health Aide or Health Services Assistant (requires professional licensing);

E. Medical Assistant (requires professional licensing);

F. Medical Laboratory Technician;

G. Medical Transcriptionist (requires professional licensing);

H. Pharmacy Technician/Assistant (requires professional licensing); and

I. Sign Language Interpreter (requires professional licensing);

4. The applicant for a Health Sciences Career Education Certificate of license to teach must comply with the general and professional requirements from paragraph (1)(C)3. and the following:

A. Applicant must provide a valid authorization from the applicable accrediting agency certifying that applicant meets requirements to teach in the subject area and student level of the instructional program; and

B. Applicant must provide documentation of a valid, unencumbered, undisciplined, professional license (if applicable for instructional area to be taught);

5. Technology and Engineering—

A. Certificate Titles—

(I) Aircraft Mechanic/Technician, Powerplant (requires professional licensing);

(II) Airframe Mechanic/Technician, Airframe (requires professional licensing);

(III) Auto/Automotive Body Repairer;

(IV) Auto/Automotive Mechanic/Technician;

(V) Aviation Management;

(VI) Building/Property Maintenance and Manager;

(VII) Cabinet Maker and Millworker;

(VIII) Carpenter;

(IX) Cartography;

(X) Commercial Photography;

(XI) Computer Maintenance Technology/Technician;

(XII) Construction/Building Technology/Technician;

(XIII) Diesel Engine Mechanic and Repairer;

(XIV) Drafting, General;

(XV) Electrical and Electronics Equipment Installer and Repairer, General;

(XVI) Electrician;

(XVII) Fire Science/Firefighting;

(XVIII) Graphic and Printing Equipment Operator, General;

(XIX) Graphic Design, Commercial Art, and Illustration;

(XX) Heating, Air Conditioning, and Refrigeration Mechanic and Repairer;

(XXI) Heavy Equipment Maintenance and Repairer;

(XXII) Industrial Technology/Technician;

(XXIII) Laser and Optical Technology/Technician;

(XIV) Law Enforcement/Police Science;

(XV) Machinist/Machine Technologist;

(XVI) Marine Maintenance and Ship Repairer;

(XVII) Mason and Tile Setter;

(XVIII) Motorcycle Mechanic and Repairer;

(XXIX) Plumbing Technology/Plumber;

(XXX) Radio and Television Broadcasting Technology/Technician;

(XXXI) Small Engine Mechanic and Repairer; and

(XXXII) Welder/Welding Technologist;

6. The applicant for a Skilled Technical Sciences Career Education certificate of license to teach must comply with subsections (1)(A)-(B) general and professional requirements and the following:

A. The applicant must provide documentation of a valid, unencumbered, undisciplined license (if applicable for instructional area to be taught);

7. The applicant for a ROTC Career Education certificate of license to teach must comply with subsections (1)(A)-(B) general and professional requirements; and

8. The applicant for a Special Needs Career Education certificate of license to teach must comply with the general and professional requirements from subsections (1)(A)-(B) and the following:

A. Possession of a bachelor's degree or higher from a college or university approved by the department;

B. A valid professional classification Missouri certificate of license to teach in one (1) of the following areas: elementary education, middle school, math (Grades 9-12), English (Grades 7-12),

industrial arts, technology education, counseling, special education, or career education; and

C. The applicant must provide documentation/transcripts of completion of a course in Methods of Teaching Disabled Students or a methods course appropriate to the disability area(s) of their employment.

(2) An applicant for a Career Education (Secondary) Missouri certificate of license to teach Personal Finance who possesses good moral character may be granted a Career Education (Secondary) Missouri certificate of license to teach Personal Finance subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Personal Finance:

(A) General Requirements—

1. The applicant must submit a joint application verifying contracted employment from a Missouri school district;

2. Verification of a bachelor's degree or higher in an area appropriate for the subject area being taught, and four thousand (4,000) hours of related occupational experience obtained within the most recent ten (10) years and approved by the department; and

3. Completion of the assessment(s) required by the State Board of Education (board) with a score equal to or greater than the Missouri Qualifying Score. The official score must be submitted to the department;

(B) Professional Requirements. A minimum requirement of thirty-six (36) semester hours in professional education. Competency must be demonstrated in each topic listed to the satisfaction of the educator preparation institution:

1. Content Planning and Delivery. Candidates are prepared with a deep knowledge of and understand the relationship between curriculum, instruction, and assessment—

A. Curriculum and Instructional Planning;

B. Instructional Strategies and Techniques in Content Area Specialty;

C. Assessment and Student Data;

D. Strategies for Content Literacy;

E. Critical Thinking and Problem Solving; and

F. English Language Learning;

2. Individual Student Needs. Candidates build a robust knowledge of learners and the learning environment—

A. Psychological Development of the Child and Adolescent;

B. Psychology/Education of the Exceptional Child;

C. Differentiated Learning;

D. Classroom Management; and

E. Cultural Diversity;

3. Schools and the Teaching Profession. Candidates fully understand the role of schools and schooling as well as the professional responsibilities of teachers, including a means of professional growth—

A. Consultation and Collaboration; and

B. Legal/Ethical Aspects of Teaching; and

4. Secondary Literacy (minimum of six (6) semester hours). Methods of Teaching Reading and Writing, to include one (1) course specific to teaching reading and writing in the content area for which certification is sought; and

(C) Content Knowledge for Teaching—

1. Implementing Business Education Programs, three (3) semester hours; and

2. Coordination of Cooperative Education, three (3) semester hours.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.670 Certification Requirements for Career Education (Postsecondary) Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Education (Postsecondary) Certificate.

(1) An applicant for a Career Education (Postsecondary) Certificate who possesses good moral character may be granted a Career Education (Postsecondary) Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional certification requirements specific to Career Education (Postsecondary) Certificates:

(A) General Requirements—

1. The applicant must submit a joint application verifying contracted employment from a Missouri educational institution; and

2. One (1) of the following:

A. Verification of a bachelor's degree or higher in an area appropriate for the subject area being taught, and four thousand (4,000) hours of related occupational experience approved by the Missouri Department of Elementary and Secondary Education (department) and obtained within the most recent ten (10) years; or

B. Verification of an associate's degree in an area appropriate for the subject area being taught, and five thousand (5,000) hours of related occupational experience within the most recent ten (10) years and approved by the department; or

C. Verification of six thousand (6,000) hours of related occupational experience obtained within the most recent ten (10) years (only for Health Sciences and Skilled Technical Sciences areas) and approved by the department;

(B) Professional Requirements—

1. Verification of coursework in education not to exceed fifteen (15) credit hours to include competencies appropriate for the certificate area in: Curriculum; Methods; Assessment; and Foundations/Implementation;

(C) Certificate Titles and Specific Requirements for Each Specific Area of Career Education Certification—

1. Agricultural Education—

- A. Agricultural Education;
- B. Agricultural Business;
- C. Agricultural Mechanics;

- D. Agricultural Production;
- E. Agricultural Processing;
- F. Agricultural Resources;
- G. Agricultural Service/Supplies;
- H. Forestry; and
- I. Horticulture;

2. Business Education—

- A. Career Business Education;

3. Family, Consumer Sciences, and Human Services—

- A. Apparel and Textiles;
- B. Career Family and Consumer Sciences;
- C. Cosmetologist (requires professional licensing);
- D. Culinary Arts;
- E. Dietetic Services;
- F. Food and Beverage/Restaurant Operations Manager;
- G. Food Production, Management, and Related Services;
- H. Hospitality Administration/Management, General;
- I. Housing and Home Environments;
- J. Human Development/Adult Development and Aging;
- K. Human Development/Child Care; and
- L. Massage Therapy (requires professional licensing);

4. The applicant for a Family and Consumer Science Career Education Certificate of license to teach in the specific area of Human Development/Child Care and Human Development/Adult Development and Aging must have a minimum of an associate's or higher degree in an area appropriate for the subject area being taught and comply with subsections (1)(A)-(B). Applicants in the areas of Apparel and Textiles; Career Family and Consumer Sciences; Culinary Arts; Food and Beverage/Restaurant Operation Manager; Food Production, Management and Related Services; and Housing Environments must comply with subsections (1)(A)-(B);

5. Health Sciences—

- A. Dental Assistant (requires professional licensing);
- B. Dental Hygienist (requires professional licensing);
- C. Dental Laboratory Technician;
- D. Diagnostic Medical Sonography Technician (requires professional licensing);
- E. Emergency Medical Technology/Technician (requires professional licensing);
- F. Funeral Service and Mortuary Science (requires professional licensing);
- G. Health Professions and Related Sciences, Other;
- H. Health Unit Coordinator/Ward Clerk;
- I. Licensed Practical Nursing (requires professional licensing);
- J. Medical Assistant (requires professional licensing);
- K. Medical Laboratory Assistant (requires professional licensing);
- L. Medical Laboratory Technician (requires professional licensing);
- M. Medical Radiologic Technology/Technician (requires professional licensing);
- N. Medical Record Technology/Technician (requires professional licensing);
- O. Medical Transcription (requires professional licensing);
- P. Nursing Assistant/Aide;
- Q. Nursing, Other (requires professional licensing);
- R. Occupational Therapy Assistant (requires professional licensing);
- S. Pharmacy Technician/Assistant (requires professional licensing);
- T. Physical Therapy Assistant (requires professional licensing);
- U. Registered Nursing Training (requires professional licensing);
- V. Respiratory Therapy Technician (requires professional licensing);

W. Sign Language Interpreter (requires professional licensing); and

X. Surgical/Operating Room Technology (requires professional licensing);

6. The applicant for a Health Sciences Career Education Certificate of license to teach must comply with subsections (1)(A)–(B) and the following:

A. Applicant must provide a valid authorization from the applicable accrediting agency certifying that applicant meets requirements to teach in the subject area and student level of the instructional program; and

B. Applicant must provide documentation of a valid, unencumbered, undisciplined professional license (if applicable for instructional area to be taught);

7. Marketing Education—

A. Marketing;

8. Technology and Engineering—

A. Certification Titles—

(I) Aircraft Mechanic/Technician, Powerplant (requires professional licensing);

(II) Airframe Mechanic/Technician, Airframe (requires professional licensing);

(III) Architectural Engineering Technology/Technician;

(IV) Auto/Automotive Body Repairer;

(V) Auto/Automotive Mechanic/Technician;

(VI) Automotive Engineering Technology/Technician;

(VII) Aviation Management;

(VIII) Aviation Systems and Avionics Maintenance Technology/Technician (requires professional licensing);

(IX) Biomedical Engineering-Related Technology/Technician;

(X) Building/Property Maintenance and Manager;

(XI) Cabinet Maker and Millworker;

(XII) Carpenter;

(XIII) Cartography;

(XIV) Chemical Technology/Technician;

(XV) Civil Engineering/Civil Technology/Technician;

(XVI) Commercial Photography;

(XVII) Communications Systems Installer and Repairer;

(XVIII) Computer Installer and Repairer;

(XIX) Computer Maintenance Technology/Technician;

(XX) Construction Equipment Operator;

(XXI) Construction/Building Technology/Technician;

(XXII) Diesel Engine Mechanic and Repairer;

(XXIII) Drafting, General;

(XXIV) Electrical and Electronics Equipment Installer and Repairer, General;

(XXV) Electrical and Power Transmission Installer, General;

(XXVI) Electromechanical Technology/Technician;

(XXVII) Fire Protection and Safety Technology/Technician;

(XXVIII) Fire Science/Firefighting;

(XXIX) Graphic and Printing Equipment Operator, General;

(XXX) Graphic Design, Commercial Art, and Illustration;

(XXXI) Heating, Air Conditioning, and Refrigeration

Mechanic and Repairer;

(XXXII) Heavy Equipment Maintenance and Repairer;

(XXXIII) Industrial Design;

(XXXIV) Industrial Electronics Installer and Repairer;

(XXXV) Industrial Machinery Maintenance and Repairer;

(XXXVI) Instrumentation Technology/Technician;

(XXXVII) Ironworking/Ironworker;

(XXXVIII) Laser and Optical Technology/Technician;

(XXXIX) Law Enforcement/Police Science;

(XL) Machinist/Machine Technologist;

(XLI) Major Appliance Installer and Repairer;

(XLII) Manufacturing Technology;

(XLIII) Marine Maintenance and Ship Repairer;

(XLIV) Mason and Tile Setter;

(XLV) Mechanical Engineering/Mechanical Technology/Technician;

(XLVI) Motorcycle Mechanic and Repairer;

(XLVII) Nuclear Engineering Technology/Technician;

(XLVIII) Occupational Safety and Health Technology/Technician;

(XLIX) Painter and Wall Coverer;

(L) Pipefitting/Pipefitter and Sprinkler Fitter;

(LI) Plumbing Technology/Plumber;

(LII) Quality Control Technology/Technician;

(LIII) Radio and Television Broadcasting Technology/Technician;

(LIV) Robotics Technology/Technician;

(LV) Sheet Metal Worker;

(LVI) Small Engine Mechanic and Repairer;

(LVII) Truck, Bus, and Other Commercial Vehicle Operator (requires professional licensing);

(LVIII) Upholsterer;

(LIX) Water Quality and Wastewater Treatment Technology/Technician; and

(LX) Welder/Welding Technologist; and

9. The applicant for a Skilled Technical Sciences career education certificate of license to teach must comply with subsections (1)(A)–(B) and the following:

A. Applicant must provide documentation of a valid, unencumbered, undisciplined copy of their professional license (if applicable for instructional area to be taught).

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services

Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.680 Certification Requirements for Career Education (Secondary/Postsecondary) Certificates

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Education (Secondary/Postsecondary) Certificate.

(1) An applicant for a Career Education (Secondary/Postsecondary) Certificate, valid for a period of four (4) years, may be granted a Career Education (Secondary/Postsecondary) Certificate subject to the certification requirements found in 5 CSR 20-400.500 and the following additional requirements:

(A) Applicants for a Career Services Coordinator (Secondary/Postsecondary) Career Education Certificate, valid for a period of four (4) years from the effective date of the certificate, will be issued such a certificate subject to the following requirements:

1. The applicant must have secured a Career Services Coordinator position in their area of professional/technical preparation and/or training and the employing school district or postsecondary institution must request and endorse certification for the applicant; and

2. The applicant must possess a bachelor's degree or higher degree in a business-related field or human resources;

(B) Applicants for an Adult Education Supervisor (Secondary/Postsecondary) Career Education Certificate, valid for a period of four (4) years from the effective date of the certificate, will be issued such a certificate subject to the following requirements:

1. The applicant must have secured employment in their area of professional/technical preparation and/or training and the employing school district or postsecondary institution must request and endorse certification; and

2. The applicant must possess a bachelor's degree or higher.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

PROPOSED RULE

5 CSR 20-400.690 Certification Requirements for Career Continuous Career Education Certificate

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for each of the various areas of certification within the Career Continuous Career Education Certificate.

(1) An applicant for a Career Continuous Career Education (CCCE) certificate who possesses good moral character may be granted a CCCE certificate subject to the certification requirements found in 5

CSR 20-400.500 and the following additional certification requirements specific to CCCE certificates:

(A) CCCE certificate will be issued to an applicant upon completion and verification of the following:

1. Four (4) years of teaching experience approved by the Missouri Department of Elementary and Secondary Education (department);

2. The development, implementation, and completion of a professional development plan of at least ninety (90) contact hours of professional development relating to the specific career education subject area for which the educator seeks certification and approved by the local district to include clearly stated goals for improvement and enrichment;

3. Participation in a mentoring program for a minimum of two (2) years, the guidelines for which shall be established by the local district;

4. Annual participation in the district's performance-based teacher evaluation (PBTE) program; and

5. For applicants for a Career Continuous Career Education Certificate in Secondary Education, verification of participation in a Beginning Career Education Teacher's Assistance Program. The assistance may include retraining, internship, counseling, and in-service training;

(B) The CCCE is continuous upon verification by the employing school district that the certificate holder has participated in the district's PBTE program and completed thirty (30) contact hours of professional development relating to the specific career education subject area for which the educator seeks certification each school year.

1. Individuals possessing a CCCE who do not complete thirty (30) contact hours of professional development each school year may, within two (2) years, make up the missing hours. The individual must first meet the thirty (30) hour requirement for the current year and then count the excess hours as make-up hours.

2. A CCCE becomes inactive if the individual does not make up the requisite hours within two (2) school years.

3. A CCCE may be reactivated by the individual by completing twenty-four (24) contact hours of professional development within six (6) months prior to or after the reactivation of the certificate. Failure of the individual to complete the twenty-four (24) contact hours within six (6) months will result in the certificate becoming inactive.

(C) The CCCE holder is exempt from the thirty (30) contact hours of professional development, if the holder has a local professional development plan in place with the school and at least two (2) of the following:

1. Ten (10) years of teaching experience approved by the department;

2. A master's degree from an accredited college or university; and/or

3. Certification from the National Board for Professional Teaching Standards.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to

educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION

Division 20—Division of Learning Services Chapter 400—Office of Educator Quality

PROPOSED RULE

5 CSR 20-400.700 Certification Requirements for Adult Education and Literacy

PURPOSE: The State Board of Education is authorized to grant certificates of license to teach in any of the public schools of the state and establish requirements and qualifications for those certificates. This rule outlines the requirements for application for a certificate of license to teach Adult Education and Literacy.

(1) An applicant for an initial Missouri certificate of license to teach Adult Education and Literacy who possesses good moral character may be granted an initial Missouri certificate of license to teach Adult Education and Literacy, valid for a period of four (4) years, subject to the certification requirements found in 5 CSR 20-400.500 and the following additional requirements specific to an initial Adult Education and Literacy certificate:

(A) Professional Requirements—

1. A bachelor of arts or bachelor of science degree from a college or university approved by the Missouri Department of Elementary and Secondary Education (department);
2. Successful completion of a pre-certification workshop authorized by the department no later than three (3) months after hire date; and
3. Completion and submission of any required pre- and/or post-workshop activity to the department;

(2) Career Continuous Adult Education and Literacy Certificate—

(A) A Career Continuous Adult Education and Literacy certificate may be issued to an applicant upon submission of an application for such certification and verification of the following:

1. Four (4) years of teaching experience approved by the department;
2. Participation in a two (2) year mentoring program with an experienced teacher of Adult Education and Literacy;
3. Participation in any required workshops;
4. Participation in sixty (60) hours of professional development in addition to required workshops;
5. Participation in an annual performance-based teacher evaluation (PBTE); and
6. Accumulation of a minimum of one hundred (100) Adult Education and Literacy instructional hours per year during the four (4) years of state approved teaching experience; and

(B) A Career Continuous Adult Education and Literacy certificate is valid for ninety-nine (99) years; however, an applicant may be issued a High-Quality Adult Education and Literacy Career Continuous Certificate after ten (10) years from date of initial certification if the following requirements are met:

1. Ten (10) years of teaching experience approved by the department;
2. Accumulation of a minimum of one hundred (100) Adult Education and Literacy instructional hours per year during the ten (10) years of state approved teaching experience; and/or
3. A masters degree from an accredited college or university.

AUTHORITY: sections 168.011, 168.405, and 168.409, RSMo 2000, and sections 161.092, 168.021, 168.071, 168.081, and 168.400, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Elementary and Secondary Education, Attention: Paul Katnik, Assistant Commissioner, Office of Educator Quality, PO Box 480, Jefferson City, MO 65102-0480 or by email to educatorquality@dese.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 10—DEPARTMENT OF NATURAL RESOURCES

Division 10—Air Conservation Commission

Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.200 Hospital, Medical, Infectious Waste Incinerators. The commission proposes to amend subsections (1)(E), (1)(H), (2)(A), (3)(A), (3)(B), and (3)(E). If the commission adopts this rule action, it will be the department's intention to submit this rule amendment to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Plan for Designated Facilities and Pollutants pursuant to section 111(d) of the Clean Air Act for hospital, medical, and infectious waste incinerators. The evidence supporting the need for this proposed rule-making is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, www.dnr.mo.gov/regs/index.html.

PURPOSE: This rule establishes emission limits for existing hospital, medical, and infectious waste incinerators. The pollutants regulated include metals, particulate matter, acid gases, organic compounds, carbon monoxide, and opacity. This rule includes requirements for operator training and qualification, waste management, compliance and performance testing, monitoring, and reporting/record keeping. This amendment will remove the exemption for start-up, shutdown, and malfunction events to maintain consistency with federal regulations; clarify the hierarchy of definitions; and update the references to the test methods used to determine compliance. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is Federal Register notices 78 FR 12460, dated February 22, 2013, and 78 FR 28052, dated May 13, 2013.

(1) Applicability.

(E) Any combustor which meets the applicability requirements under [s/Subpart Cb, Ea, or Eb of 40 CFR [part] 60] is not subject to this rule.

(H) Physical or operational changes made to an HMIWI unit solely for the purpose of complying with this rule are not considered a modification and do not result in an HMIWI unit becoming subject to the provisions of 40 CFR [part] 60, [s/Subpart Ec].

(2) Definitions.

(A) Definitions of certain terms specified in this rule~~/~~, *other than those defined in this rule section, may be found in the Clean Air Act and in 40 CFR Part 60, subparts A, B, and Ec* may be found in 40 CFR 60.21 and 40 CFR 60.51c, promulgated as of July 1, 2012, and are hereby incorporated by reference in this rule, as published by the Office of Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, DC 20408. This rule does not incorporate any subsequent amendments or additions.

(3) General Provisions.

(A) Emission Limits.

1. No owner or operator of an HMIWI subject to this rule shall cause to be discharged into the atmosphere any gases that contain stack emissions in excess of the limits presented in Table 1 of this subsection, except as provided for in paragraph (3)(A)2. of this rule.

Table 1—Emissions Limits for Small, Medium, and Large HMIWI

Pollutant	Units (7 percent oxygen, dry basis)	Emissions limits			Averaging time ¹	Method for demonstrating compliance ²
		HMIWI size				
		Small	Medium	Large		
Particulate matter	Milligrams per dry standard cubic meter (mg/dscm) (grains per dry standard cubic foot (gr/dscf))	66 (0.029)	46 (0.020) or 34 (.015) ³	25 (0.011)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 5 of 40 CFR 60 , Appendix A–3 <i>[of part 60]</i> or EPA Reference Method 26A or 29 of 40 CFR 60 , Appendix A–8 <i>[of part 60]</i> .
Carbon monoxide	Parts per million by volume (ppmv)	20	5.5	11	3-run average (1-hour minimum sample time per run)	EPA Reference Method 10 or 10B of 40 CFR 60 , Appendix A–4 <i>[of part 60]</i> .
Dioxins/furans	Nanograms per dry standard cubic meter total dioxins/furans (ng/dscm) (grains per billion dry standard cubic feet (gr/10 ⁹ dscf)) or ng/dscm TEQ (gr/10 ⁹ dscf)	16 (7.0) or 0.013 (0.0057)	0.85 (0.37) or 0.020 (0.0087)	9.3 (4.1) or 0.054 (0.024)	3-run average (4-hour minimum sample time per run)	EPA Reference Method 23 of 40 CFR 60 , Appendix A–7 <i>[of part 60]</i> .
Hydrogen chloride	ppmv	44 or 15 or 99% ³	7.7	6.6	3-run average (1-hour minimum sample time per run)	EPA Reference Method 26 or 26A of 40 CFR 60 , Appendix A–8 <i>[of part 60]</i> .
Sulfur dioxide	ppmv	4.2	4.2	9.0	3-run average (1-hour minimum sample time per run)	EPA Reference Method 6 or 6C of 40 CFR 60 , Appendix A–4 <i>[of part 60]</i> .
Nitrogen oxides	ppmv	190	190	140	3-run average (1-hour minimum sample time per run)	EPA Reference Method 7 or 7E of 40 CFR 60 , Appendix A–4 <i>[of part 60]</i> .
Lead	mg/dscm (grains per thousand dry standard cubic feet (gr/10 ³ dscf))	0.31 (0.14)	0.018 (0.0079)	0.036 (0.016)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A–8 <i>[of part 60]</i> .

Cadmium	mg/dscm (gr/10 ³ dscf)	0.017 (0.0074)	0.013 (0.0057)	0.0092 (0.0040)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A-8 <i>[of part 60]</i> .
Mercury	mg/dscm (gr/10 ³ dscf)	0.014 (0.0061)	0.025 (0.011)	0.018 (0.0079)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A-8 <i>[of part 60]</i> .

¹ Except as allowed under section 60.56c(c) for HMIWI equipped with Continuous Emission Monitoring System (CEMS).

² Does not include CEMS and approved alternative non-EPA test methods allowed under section 60.56c(b).

³ HMIWI constructed after June 20, 1996, but no later than December 1, 2008, or for which modification is commenced after March 16, 1998, but no later than April 6, 2010.

2. No owner or operator of a small HMIWI constructed on or before June 20, 1996, which is located more than fifty (50) miles from the boundary of the nearest Standard Metropolitan Statistical Area and which burns less than two thousand (2,000) pounds per week of hospital waste and medical/infectious waste shall cause to be discharged into the atmosphere any gases that contain stack emissions in excess of the limits presented in Table 2 of this paragraph. The two thousand (2,000) pounds per week limitation does not apply during performance tests.

Table 2—Emissions Limits for Small HMIWI Which Meet the Criteria Under Paragraph (3)(A)2. of this Rule

Pollutant	Units (7 percent oxygen, dry basis)	HMIWI Emissions limits	Averaging time ¹	Method for demonstrating compliance ²
Particulate matter	mg/dscm (gr/dscf)	87 (0.038)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 5 of 40 CFR 60 , Appendix A–3 <i>[of part 60]</i> or EPA Reference Method 26A or 29 of 40 CFR 60 , Appendix A–8 <i>[of part 60]</i> .
Carbon monoxide	ppmv	20	3-run average (1-hour minimum sample time per run)	EPA Reference Method 10 or 10B of 40 CFR 60 , Appendix A–4 <i>[of part 60]</i> .
Dioxins/furans	ng/dscm total dioxins/furans (gr/10 ⁹ dscf) or ng/dscm TEQ (gr/10 ⁹ dscf)	240 (100) or 5.1 (2.2)	3-run average (4-hour minimum sample time per run)	EPA Reference Method 23 of 40 CFR 60 , Appendix A–7 <i>[of part 60]</i> .
Hydrogen chloride	ppmv	810	3-run average (1-hour minimum sample time per run)	EPA Reference Method 26 or 26A of 40 CFR 60 , Appendix A–8 <i>[of part 60]</i> .
Sulfur dioxide	ppmv	55	3-run average (1-hour minimum sample time per run)	EPA Reference Method 6 or 6C of 40 CFR 60 , Appendix A–4 <i>[of part 60]</i> .
Nitrogen oxides	ppmv	130	3-run average (1-hour minimum sample time per run)	EPA Reference Method 7 or 7E of 40 CFR 60 , Appendix A–4 <i>[of part 60]</i> .
Lead	mg/dscm (gr/10 ³ dscf)	0.50 (0.22)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A–8 <i>[of part 60]</i> .
Cadmium	mg/dscm (gr/10 ³ dscf)	0.11 (0.048)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A–8 <i>[of part 60]</i> .
Mercury	mg/dscm (gr/10 ³ dscf)	0.0051 (0.0022)	3-run average (1-hour minimum sample time per run)	EPA Reference Method 29 of 40 CFR 60 , Appendix A–8 <i>[of part 60]</i> .

¹ Except as allowed under section 60.56c(c) for HMIWI equipped with CEMS.

² Does not include CEMS and approved alternative non-EPA test methods allowed under section 60.56c(b).

3. No owner or operator of an HMIWI subject to this rule shall cause to be discharged into the atmosphere from the stack of that HMIWI any gases that exhibit greater than six percent (6%) opacity (six (6)-minute block average).

(B) Operator Training and Qualification Requirements.

1. No owner or operator of an HMIWI subject to this rule shall allow the HMIWI to operate at any time unless a fully trained and qualified HMIWI operator is accessible, either at the facility or available within one (1) hour. The trained and qualified HMIWI operator may operate the HMIWI directly or be the direct supervisor of one (1) or more HMIWI operators.

2. Operator training and qualification shall be obtained by completing the requirements included in paragraphs (3)(B)3. through 7. of this rule.

3. Training shall be obtained by completing an HMIWI operator training course that includes, at a minimum, the following provisions:

A. Twenty-four (24) hours of training on the following subjects:

(I) Environmental concerns, including pathogen destruction and types of emissions;

(II) Basic combustion principles, including products of combustion;

(III) Operation of the type of incinerator to be used by the operator, including proper start-up, waste charging, and shutdown procedures;

(IV) Combustion controls and monitoring;

(V) Operation of air pollution control equipment and factors affecting performance (if applicable);

(VI) Methods to monitor pollutants and equipment calibration procedures (where applicable);

(VII) Inspection and maintenance of the HMIWI, air pollution control devices, and continuous emission monitoring systems;

(VIII) Actions to correct malfunctions or conditions that may lead to malfunction;

(IX) Bottom and fly ash characteristics and handling procedures;

(X) Applicable federal, state, and local regulations;

(XI) Work safety procedures;

(XII) *[Pre-startup inspections]* **Inspections prior to start-up;** and

(XIII) Record-keeping requirements;

B. An examination designed and administered by the instructor; and

C. Reference material distributed to the attendees covering the course topics.

4. Qualifications shall be obtained by—

A. Completion of a training course that satisfies the criteria under paragraph (3)(B)3. of this rule; and

B. Either six (6) months experience as an HMIWI operator, six (6) months experience as a direct supervisor of an HMIWI operator, or completion of at least two (2) burn cycles under the observation of two (2) qualified HMIWI operators.

5. Qualification is valid from the date on which the examination is passed or the completion of the required experience, whichever is later.

6. To maintain qualification, the trained and qualified HMIWI operator shall complete and pass an annual review or refresher course of at least four (4) hours covering, at a minimum, the following:

A. Update of regulations;

B. Incinerator operation, including start-up and shutdown procedures;

C. Inspection and maintenance;

D. Responses to malfunctions or conditions that may lead to malfunction; and

E. Discussion of operating problems encountered by attendees.

7. A lapsed qualification shall be renewed by one (1) of the following methods:

A. For a lapse of less than three (3) years, the HMIWI operator shall complete and pass a standard annual refresher course described in paragraph (3)(B)6. of this rule; or

B. For a lapse of three (3) years or more, the HMIWI operator shall complete and pass a training course with the minimum criteria described in paragraph (3)(B)3. of this rule.

8. The owner or operator of an HMIWI shall maintain documentation at the facility that addresses the following:

A. Summary of the applicable standards under this subpart;

B. Description of basic combustion theory applicable to an HMIWI;

C. Procedures for receiving, handling, and charging waste;

D. HMIWI start-up, shutdown, and malfunction procedures;

E. Procedures for maintaining proper combustion air supply levels;

F. Procedures for operating the HMIWI and associated air pollution control systems within the standards established under this subpart;

G. Procedures for responding to periodic malfunction or conditions that may lead to malfunction;

H. Procedures for monitoring HMIWI emissions;

I. Reporting and record-keeping procedures; and

J. Procedures for handling ash.

9. The owner or operator of an HMIWI shall establish a program for reviewing the information listed in paragraph (3)(B)8. of this rule annually with each HMIWI operator.

A. The initial review of the information listed in paragraph (3)(B)8. of this rule shall be conducted prior to assumption of responsibilities affecting HMIWI operation.

B. Subsequent reviews of the information listed in paragraph (3)(B)8. of this rule shall be conducted annually.

10. The information listed in paragraph (3)(B)8. of this rule shall be kept in a readily-accessible location for all HMIWI operators. This information, along with records of training, shall be available for inspection by the department or its delegated enforcement agent upon request.

(E) Compliance and Performance Testing.

1. The emission limits under this rule apply at all times.

2. Except as provided in paragraph (3)(E)12. of this rule, the owner or operator of an HMIWI subject to this rule shall conduct an initial performance test to determine compliance with the emission limits using the procedures and test methods listed in subparagraphs (3)(E)2.A. through L. of this rule. The use of the bypass stack during a performance test shall invalidate the performance test. For small HMIWIs as defined in paragraph (3)(A)2. of this rule, the two-thousand (2,000)-pound-per-week limitation does not apply during performance tests.

A. All performance tests shall consist of a minimum of three (3) test runs conducted under representative operating conditions.

B. The minimum sample time shall be one (1) hour per test run unless otherwise indicated.

C. The sampling location and number of traverse points shall be determined using EPA Reference Method 1 of 40 CFR *[part]* 60, Appendix A-1*[, promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions].*

D. Gas composition shall be analyzed and include a measurement of oxygen concentration using EPA Reference Method 3, 3A, or 3B of 40 CFR *[part]* 60, Appendix A-2*[, promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions and shall be used for gas composition analysis,*

including measurement of oxygen concentration]. EPA Reference Method 3, 3A, or 3B shall be used simultaneously with each of the other EPA reference methods. *[As an alternative to EPA Reference Method 3B, ASME PTC-19-10-1981-Part 10, American Society of Mechanical Engineers (ASME), PO Box 2900, 22 Law Drive, Fairfield, NJ, 07007-2900, may be used. This standard is incorporated by reference in this rule, as published by American Society for Testing and Materials (ASTM) International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959. This rule does not incorporate any subsequent amendments or additions]* **As an alternative to EPA Reference Method 3B, ASME PTC-19-10-1981-Part 10 may be used.**

E. The pollutant concentrations shall be adjusted to seven percent (7%) oxygen using the following equation:

$$C_{\text{adj}} = C_{\text{meas}} (20.9 - 7) / (20.9 - \% O_2)$$

where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen

C_{meas} = pollutant concentration measured on a dry basis

$(20.9 - 7)$ = 20.9 percent oxygen – 7 percent oxygen
(defined oxygen correction basis)

20.9 = oxygen concentration in air, percent

$\% O_2$ = oxygen concentration measured on a dry basis,
percent

F. Particulate Matter (PM) emissions shall be measured using EPA Reference Method 5 of 40 CFR [part] 60, Appendix A-3[, promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. An acceptable alternate method for measuring PM emissions is **EPA Reference Method 26A or Method 29 of 40 CFR [part] 60, Appendix A-8[, promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]**. As an alternative, PM Continuous Emission Monitoring System (CEMS) may also be used as specified in subparagraph (3)(E)3.C. of this rule.

G. Stack opacity shall be measured using EPA Reference Method 9 of 40 CFR [part] 60, Appendix A-4 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. As an alternative, demonstration of compliance with the PM standards using bag leak detection systems as specified in paragraph (3)(E)11. of this rule or PM CEMS as specified in subparagraph (3)(E)3.C. of this rule is considered demonstrative of compliance with the opacity requirements.

H. Carbon monoxide (CO) emissions shall be measured using EPA Reference Method 10 or 10B of 40 CFR [part] 60, Appendix A-4 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. As an alternative, CO CEMS may be used as specified in subparagraph (3)(E)3.C. of this rule.

I. Total dioxin/furan emissions shall be measured using EPA Reference Method 23 of 40 CFR [part] 60, Appendix A-7 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government

Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. As an alternative, an owner or operator may elect to sample dioxins/furans by installing, calibrating, maintaining, and operating a continuous automated sampling system for monitoring dioxin/furan emissions. Sampling shall be done using **EPA Reference Method 23 of [Appendix A-7, of] 40 CFR [part] 60, Appendix A-7 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]**. The minimum sample time shall be four (4) hours per test run. If the affected facility has selected the toxic equivalency standards for dioxin/furans the following procedures shall be used to determine compliance:

(I) Measure the concentration of each dioxin/furan tetra-through octa-congener emitted using EPA Reference Method 23 of 40 CFR [part] 60, **Appendix A-7 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]**;

(II) For each dioxin/furan congener measured in accordance with part (3)(E)2.I.(I) of this rule, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 3 of this part; and

Table 3—Toxic Equivalency Factors

Dioxin/furan congener	Toxic equivalency factor
2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin	0.5
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.001
2,3,7,8-tetrachlorinated dibenzofuran	0.1
2,3,4,7,8-pentachlorinated dibenzofuran	0.5
1,2,3,7,8-pentachlorinated dibenzofuran	0.05
1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1
2,3,4,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzofuran	0.01
1,2,3,4,7,8,9-heptachlorinated dibenzofuran	0.01
octachlorinated dibenzofuran	0.001

(III) Sum the products calculated in accordance with part (3)(E)2.I.(II) of this rule to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

J. Hydrogen chloride (HCl) shall be measured using EPA Reference Method 26 or 26A of 40 CFR [part] 60, Appendix A[-]-8 [promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. As an alternative, HCl CEMS may be used as specified in subparagraph (3)(E)3.C. of this rule.

K. Lead (Pb), cadmium (Cd), and mercury (Hg) emissions shall be measured using EPA Reference Method 29 of 40 CFR [part] 60, Appendix A[-]-8[-], promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. As an alternative, Hg emissions may be measured using ASTM D6784-02(2008). [This standard is incorporated by reference in this rule, as published by ASTM International, 100 Barr Harbor Drive, PO

Box C700, West Conshohocken, PA 19428-2959. This rule does not incorporate any subsequent amendments or additions.] As an alternative for Pb, Cd, and Hg, multi-metals CEMS or Hg CEMS, may be used as specified in subparagraph (3)(E)3.C. of this rule. As an alternative, an owner or operator may elect to sample Hg by installing, calibrating, maintaining, and operating a continuous automated sampling system for monitoring Hg emissions.

L. Compliance for fugitive ash emissions shall be determined using EPA Reference Method 22 of 40 CFR [part] 60, Appendix A[-]-7[-], promulgated as of December 21, 1971, and incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions]. The minimum observation time shall be a series of three (3) one (1)-hour observations.

3. Following the date on which the initial performance test is completed, the owner or operator of an affected facility shall—

A. Determine compliance with the opacity limit by conducting an annual performance test (no more than twelve (12) months following the previous performance test) using the applicable procedures and

test methods listed in paragraph (3)(E)2. of this rule;

B. Determine compliance with the PM, CO, and HCl emission limits by conducting an annual performance test (no more than twelve (12) months following the previous performance test) using the applicable procedures and test methods listed in paragraph (3)(E)2. of this rule. If all three (3) performance tests over a three (3)-year period indicate compliance with the emission limit for a pollutant (PM, CO, or HCl), the owner or operator may forego a performance test for that pollutant for the subsequent two (2) years. At a minimum, a performance test for PM, CO, and HCl shall be conducted every third year (no more than thirty-six (36) months following the previous performance test). If a performance test conducted every third year indicates compliance with the emission limit for a pollutant (PM, CO, or HCl), the owner or operator may forego a performance test for that pollutant for an additional two (2) years. If any performance test indicates noncompliance with the respective emission limit, a performance test for that pollutant shall be conducted annually until all annual performance tests over a three (3)-year period indicate compliance with the emission limit. The use of the bypass stack during a performance test shall invalidate the performance test; and

C. Facilities using a Continuous Emission Monitoring System (CEMS) to demonstrate compliance with any of the emission limits under section (3) of this rule shall determine compliance with the appropriate emission limit(s) using a twelve (12)-hour rolling average, calculated each hour as the average of the previous twelve (12) operating hours.

4. The owner or operator of an affected facility equipped with a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and wet scrubber shall—

A. Establish the appropriate maximum and minimum operating parameters, indicated in Table 4 of this subparagraph for each control system, as site-specific operating parameters during the initial performance test to determine compliance with the emission limits; and

Table 4—Operating Parameters to be Monitored and Minimum Measurement and Recording Frequencies

Operating parameters to be monitored	Minimum frequency		Control system		
	Data measurement	Data recording	Dry scrubber followed by fabric filter	Wet scrubber	Dry scrubber followed by fabric filter and wet scrubber
MAXIMUM OPERATING PARAMETERS					
Maximum charge rate	Continuous	1 per hour	✓	✓	✓
Maximum fabric filter inlet temperature	Continuous	1 per minute	✓		✓
Maximum flue gas temperature	Continuous	1 per minute		✓	✓
MINIMUM OPERATING PARAMETERS					
Minimum secondary chamber temperature	continuous	1 per minute	✓	✓	✓
Minimum dioxin/furan sorbent flow rate	hourly	1 per hour	✓		✓
Minimum hydrogen chloride (HCl) sorbent flow rate	hourly	1 per hour	✓		✓
Minimum mercury (Hg) sorbent flow rate	hourly	1 per hour	✓		✓
Minimum pressure drop across the wet scrubber or minimum horsepower or amperage to wet scrubber	continuous	1 per minute		✓	✓
Minimum scrubber liquor flow rate	continuous	1 per minute		✓	✓
Minimum scrubber liquor pH	continuous	1 per minute		✓	✓

B. Following the date on which the initial performance test is completed, ensure that the affected facility does not operate above any of the applicable maximum operating parameters or below any of the applicable minimum operating parameters listed in Table 4 and measured as three (3)-hour rolling averages (calculated each hour as the average of the previous three (3) operating hours) at all times *[except during periods of startup, shutdown, and malfunction]*. Operating parameter limits do not apply during performance tests. Operation above the established maximum or below the established minimum operating parameter(s) shall constitute a violation of established operating parameter(s).

5. Except as provided in paragraph (3)(E)8. of this rule, for affected facilities equipped with a dry scrubber followed by a fabric filter—

A. Operation of the affected facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the CO emission limit;

B. Operation of the affected facility above the maximum fabric filter inlet temperature, above the maximum charge rate, and below the minimum dioxin/furan sorbent flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the dioxin/furan emission limit;

C. Operation of the affected facility above the maximum charge rate and below the minimum HCl sorbent flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the HCl emission limit;

D. Operation of the affected facility above the maximum charge rate and below the minimum Hg sorbent flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the Hg emission limit; or

E. Use of the bypass stack shall constitute a violation of the PM, dioxin/furan, HCl, Pb, Cd, and Hg emission limits.

6. Except as provided in paragraph (3)(E)8. of this rule, for affected facilities equipped with a wet scrubber—

A. Operation of the affected facility above the maximum charge rate and below the minimum pressure drop across the wet scrubber or below the minimum horsepower or amperage to the system (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the PM emission limit;

B. Operation of the affected facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the CO emission limit;

C. Operation of the affected facility above the maximum charge rate, below the minimum secondary temperature, and below the minimum scrubber liquor flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the dioxin/furan emission limit;

D. Operation of the affected facility above the maximum charge rate and below the minimum scrubber liquor pH (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the HCl emission limit;

E. Operation of the affected facility above the maximum flue gas temperature and above the maximum charge rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the Hg emission limit; or

F. Use of the bypass stack shall constitute a violation of the PM, dioxin/furan, HCl, Pb, Cd, and Hg emission limits.

7. Except as provided in paragraph (3)(E)8. of this rule, for affected facilities equipped with a dry scrubber followed by a fabric filter and a wet scrubber—

A. Operation of the affected facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the CO emission limit;

B. Operation of the affected facility above the maximum fabric filter inlet temperature, above the maximum charge rate, and

below the minimum dioxin/furan sorbent flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the dioxin/furan emission limit;

C. Operation of the affected facility above the maximum charge rate and below the minimum scrubber liquor pH (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the HCl emission limit;

D. Operation of the affected facility above the maximum charge rate and below the minimum Hg sorbent flow rate (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the Hg emission limit; or

E. Use of the bypass stack shall constitute a violation of the PM, dioxin/furan, HCl, Pb, Cd, and Hg emission limits.

8. The owner or operator of an affected facility may conduct a repeat performance test within thirty (30) days of violation of applicable operating parameter(s) to demonstrate that the affected facility is not in violation of the applicable emission limit(s). Repeat performance tests conducted pursuant to this paragraph shall be conducted using the identical operating parameters that indicated a violation under paragraphs (3)(E)5., 6., or 7. of this rule.

9. The owner or operator of an affected facility using an air pollution control device other than a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and a wet scrubber, or selective noncatalytic reduction technology, to comply with the emission limits under section (3) of this rule shall petition the administrator for other site-specific operating parameters to be established during the initial performance test and continuously monitored thereafter. The owner or operator shall not conduct the initial performance test until after the petition has been approved by the administrator.

10. The owner or operator of an affected facility may conduct a repeat performance test at any time to establish new values for the operating parameters. The department may request a repeat performance test at any time.

11. The owner or operator of an affected facility that uses an air pollution control device that includes a fabric filter and is not demonstrating compliance using PM CEMS, determines compliance with the PM emissions limit using a bag leak detection system, and meets the requirements in subparagraphs (3)(E)11.A. through L. of this rule for each bag leak detection system.

A. Each triboelectric bag leak detection system may be installed, calibrated, operated, and maintained according to the "Fabric Filter Bag Leak Detection Guidance" (EPA-454/R-98-015, September 1997). This document is available from the U.S. Environmental Protection Agency (U.S. EPA), Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Measurement Policy Group (D-243-02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emissions Measurement Center Continuous Emissions Monitoring. Other types of bag leak detection systems shall be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations.

B. The bag leak detection system shall be certified by the manufacturer to be capable of detecting PM emissions at concentrations of ten (10) milligrams per actual cubic meter (0.0044 grains per actual cubic foot) or less.

C. The bag leak detection system sensor shall provide an output of relative PM loadings.

D. The bag leak detection system shall be equipped with a device to continuously record the output signal from the sensor.

E. The bag leak detection system shall be equipped with an audible alarm system that will sound automatically when an increase in relative PM emissions over a preset level is detected. The alarm shall be located where it is easily heard by plant operating personnel.

F. For positive pressure fabric filter systems, a bag leak detector shall be installed in each baghouse compartment or cell.

G. For negative pressure or induced air fabric filters, the bag leak detector shall be installed downstream of the fabric filter.

H. Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

I. The baseline output shall be established by adjusting the range and the averaging period of the device and establishing the alarm set points and the alarm delay time according to section 5.0 of the "Fabric Filter Bag Leak Detection Guidance."

J. Following initial adjustment of the system, the sensitivity or range, averaging period, alarm set points, or alarm delay time may not be adjusted. In no case may the sensitivity be increased by more than one hundred percent (100%) or decreased more than fifty percent (50%) over a three-hundred-sixty-five (365)-day period unless such adjustment follows a complete fabric filter inspection that demonstrates that the fabric filter is in good operating condition. Each adjustment shall be recorded.

K. Record the results of each inspection, calibration, and validation check.

L. Initiate corrective action within one (1) hour of a bag leak detection system alarm; operate and maintain the fabric filter such that the alarm is not engaged for more than five percent (5%) of the total operating time in a six (6)-month block reporting period. If inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted. If corrective action is required, each alarm is counted as a minimum of one (1) hour. If it takes longer than one (1) hour to initiate corrective action, the alarm time is counted as the actual amount of time taken to initiate corrective action.

12. Small HMIWI subject to the emissions limits under paragraph (3)(A)2. of this rule that is not equipped with an air pollution control device shall meet the following compliance and performance testing requirements:

A. Establish maximum charge rate and minimum secondary chamber temperature as site-specific operating parameters during the initial performance test to determine compliance with applicable emission limits;

B. Following the date on which the initial performance test is completed, ensure that the designated facility does not operate above the maximum charge rate or below the minimum secondary chamber temperature measured as three (3)-hour rolling averages (calculated as the average of the previous three (3) operating hours) at all times. Operating parameter limits do not apply during performance tests. Operation above the maximum charge rate or below the minimum secondary chamber temperature shall constitute a violation of the established operating parameter(s);

C. Except as provided in subparagraph (3)(E)12.D. of this rule, operation of the designated facility above the maximum charge rate and below the minimum secondary chamber temperature (each measured on a three (3)-hour rolling average) simultaneously shall constitute a violation of the PM, CO, and dioxin/furan emission limits; and

D. The owner or operator of a designated facility may conduct a repeat performance test within thirty (30) days of the violation of applicable operating parameter(s) to demonstrate that the designated facility is not in violation of the applicable emission limit(s). Repeat performance tests conducted pursuant to this paragraph must be conducted using the identical operating parameters that indicated a violation under subparagraph (3)(E)12.C. of this rule.

13. The owner or operator of a designated facility subject to this rule may use the results of previous emissions tests to demonstrate compliance with the emissions limits, provided that the following conditions are met:

A. The designated facility's previous emissions tests must have been conducted using the applicable procedures and test methods listed in subparagraphs (3)(E)2.A.-L. of this rule. Previous emissions test results obtained using EPA-accepted voluntary consensus standards are also acceptable;

B. The HMIWI at the designated facility shall currently be operated in a manner (e.g., with charge rate, secondary chamber temperature, etc.) that would be expected to result in the same or lower emissions than observed during the previous emissions test(s), and the HMIWI may not have been modified such that emissions would be expected to exceed (notwithstanding normal test-to-test variability) the results from previous emissions test(s); and

C. The previous emissions test(s) must have been conducted in 1996 or later.

AUTHORITY: section 643.050, RSMo [2000] Supp. 2013. Original rule filed Dec. 1, 1998, effective July 30, 1999. Amended: Filed Oct. 13, 2000, effective July 30, 2001. Amended: Filed Nov. 26, 2010, effective Aug. 30, 2011. Amended: Filed Nov. 1, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., January 30, 2014. The public hearing will be held at the Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a written or email statement of their views until 5:00 p.m., February 6, 2014. Written comments shall be sent to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176. Email comments shall be sent to apcprulespn@dnr.mo.gov.

Title 11—DEPARTMENT OF PUBLIC SAFETY

Division 45—Missouri Gaming Commission

Chapter 5—Conduct of Gaming

PROPOSED AMENDMENT

11 CSR 45-5.237 Shipping of Electronic Gaming Devices, Gaming Equipment or Supplies. The commission is amending the purpose statement and section (1).

PURPOSE: This amendment changes requirements for prior approval for shipping gaming equipment and supplies to reflect current procedures.

PURPOSE: This rule requires licensees to [notify the] obtain Missouri Gaming Commission approval prior to shipping electronic gaming devices into, out of, or within the state.

(1) Licensees shipping electronic gaming devices or gaming equipment/supplies as defined in 11 CSR 45-1.090, with the exception of critical program storage media as defined in 11 CSR 45-1.090, into, out of, or within Missouri, must file [on a form] a request in a format specified by the Missouri Gaming [c]/Commission (MGC) [notice] at least five (5) days prior to such shipment. The licensee shall receive MGC approval of the request prior to shipping the listed items.

AUTHORITY: section[s] 313.004, RSMo 2000, and sections 313.805 and 313.807.4, RSMo Supp. 2013. Original rule filed Sept. 2, 1997, effective March 30, 1998. Amended: Filed April 3, 2001, effective Oct. 30, 2001. Amended: Filed Oct. 31, 2005, effective May 30,

2006. Amended: Filed June 19, 2006, effective Feb. 28, 2007. Amended: Filed Oct. 31, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Wednesday, January 15, 2014, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. A public hearing is scheduled for Wednesday, January 15, 2014, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System**

PROPOSED RULE

**11 CSR 45-9.111 Minimum Internal Control Standards (MICS)—
Chapter K**

PURPOSE: This rule establishes the internal controls for Chapter K of the **Minimum Internal Control Standards**.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here. The **Minimum Internal Control Standards** may also be accessed at <http://www.mgc.dps.mo.gov>.

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in **Minimum Internal Control Standards (MICS) Chapter K—Currency Transaction Reporting**, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter K does not incorporate any subsequent amendments or additions as adopted by the commission on October 30, 2013.

AUTHORITY: section 313.004, RSMo 2000, and sections 313.800 and 313.805, RSMo Supp. 2013. Original rule filed Oct. 31, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost thirteen (13) riverboat casinos sixteen thousand nine hundred dollars (\$16,900) annually in the aggregate. A fiscal note has been filed with this proposed rule.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Gaming Commission, PO Box

**FISCAL NOTE
PRIVATE COST**

**I. TITLE 11 - DEPARTMENT OF PUBLIC SAFETY
Division 45 – Missouri Gaming Commission
Chapter 9 – Internal Control System**

Rule Number and Title:	11 CSR 45-9.111 Minimum Internal Control Standards (MICS)— Chapter K
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
13	Riverboat Casinos	\$16,900 (annually)

III. WORKSHEET

The estimated annual cost has been quantified at 13 hours a week (1 hour per casino) at an hourly rate of \$25 (wages + benefits).

$$13 \times 52 \text{ weeks} \times \$25 = \$16,900$$

IV. ASSUMPTIONS

The current standards in MICS K §3.04 and K§ 5.02 require Currency Transaction Reports (CTRs) and Suspicious Activity Reports (SARs) to be filed by the casinos with the Financial Crimes Enforcement Network (FinCEN). The new standards will require the casino to provide an electronic copy of this report to the Boat Sergeant.

This will result in an additional cost to the casinos for the staff time to email the CTRs and SARs to the Boat Sergeants.

The anticipated total cost for this rule will recur annually for the life of the rule.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 9—Internal Control System**

PROPOSED AMENDMENT

11 CSR 45-9.119 Minimum Internal Control Standards (MICS)—Chapter S. The commission is amending section (1).

PURPOSE: This amendment updates minimum internal control standards to remove the extension date for compliance that was originally granted in 2011. All requirements shall be in place by June 30, 2014. This amendment also clarifies the definition of critical information technology systems and equipment.

(1) The commission shall adopt and publish minimum standards for internal control procedures that in the commission's opinion satisfy 11 CSR 45-9.020, as set forth in *Minimum Internal Control Standards (MICS) Chapter S—Management Information Systems*, which has been incorporated by reference herein, as published by the Missouri Gaming Commission, 3417 Knipp Dr., PO Box 1847, Jefferson City, MO 65102. Chapter S does not incorporate any subsequent amendments or additions as adopted by the commission on [February 23, 2011] **October 30, 2013.**

AUTHORITY: section 313.004, RSMo 2000, and sections 313.800 and 313.805, RSMo Supp. [2010] **2013.** Original rule filed Oct. 22, 2010, effective June 30, 2011. Amended: Filed Oct. 31, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Gaming Commission, PO Box 1847, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. A public hearing is scheduled for Wednesday, January 15, 2014, at 10:00 a.m., in the Missouri Gaming Commission's Hearing Room, 3417 Knipp Drive, Jefferson City, Missouri.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 41—General Tax Provisions**

PROPOSED AMENDMENT

12 CSR 10-41.010 Annual Adjusted Rate of Interest. The director proposes to amend section (1).

PURPOSE: This proposed amendment establishes the annual adjusted rate of interest to be implemented and applied on taxes remaining unpaid during calendar year 2014.

(1) Pursuant to section 32.065, RSMo, the director of revenue upon official notice of the average predominant prime rate quoted by commercial banks to large businesses, as determined and reported by the Board of Governor's of the Federal Reserve System in the Federal Reserve Statistical Release H.15(519) for the month of September of each year has set by administrative order the annual adjusted rate of interest to be paid on unpaid amounts of taxes during the succeeding calendar year as follows:

Calendar Year	Rate of Interest on Unpaid Amounts of Taxes
1995	12%
1996	9%
1997	8%
1998	9%
1999	8%
2000	8%
2001	10%
2002	6%
2003	5%
2004	4%
2005	5%
2006	7%
2007	8%
2008	8%
2009	5%
2010	3%
2011	3%
2012	3%
2013	3%
2014	3%

AUTHORITY: section 32.065, RSMo 2000. Emergency rule filed Oct. 13, 1982, effective Oct. 23, 1982, expired Feb. 19, 1983. Original rule filed Nov. 5, 1982, effective Feb. 11, 1983. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Oct. 22, 2013, effective Jan. 1, 2014, expires June 29, 2014. Amended: Filed Oct. 22, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate. This proposed amendment will result in no change to the interest rate charged on delinquent taxes from that of 2013.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate. This proposed amendment will result in no change in the interest rate charged on delinquent taxes from that of 2013. The actual number of affected taxpayers is unknown. See detailed fiscal note for further explanation.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Legal Services Division, PO Box 475, Jefferson City, MO 65105-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Title 12—DEPARTMENT OF REVENUE
Division Title: Division 10—Director of Revenue
Chapter Title: Chapter 41—General Tax Provisions

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Counties	Because the 2014 interest rate imposed on delinquent taxes will be at the same rate imposed in 2013, the aggregate impact on public entities will be less than five hundred dollars (\$500).
Cities	
Special Taxing Districts	

III. WORKSHEET

The proposed amendment sets the rate of interest for 2014 at three percent (3%), the same rate as 2013.

The future amount of past due taxes is unknown. Because the 2014 interest rate imposed on delinquent taxes will be the same rate imposed in 2013, there will be no additional fiscal impact for public entities.

	Current Rule – 3%	Proposed Amendment – 3%
Past due tax amount	\$100.00	\$100.00
Interest amount	3.00%	3.00%
Total Amount Due	\$103.00	\$103.00

IV. ASSUMPTIONS

Under section 32.065, RSMo, the director of revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year as set by the Board of Governors of the Federal Reserve rounded to the nearest full percentage. The actual bank prime loan rate noted by the Federal Reserve in 2013 was three and a quarter percent (3.25%). Rounded to the nearest whole percentage results in a three percent (3%) interest rate.

**FISCAL NOTE
PRIVATE COST**

- I.** **Department Title:** Title 12—DEPARTMENT OF REVENUE
 Division Title: Division 10—Director of Revenue
 Chapter Title: Chapter 41—General Tax Provisions

Rule Number and Name:	12 CSR 10-41.010 Annual Adjusted Rate of Interest
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by adoption of the proposed amendment:	Classification by types of business entities which would likely be affected:	Estimate in the aggregate as to the Cost of compliance with the rule the affected entities:
Any taxpayer with delinquent tax.	Any taxpayer with delinquent tax.	Because the 2014 interest rate imposed on delinquent taxes will be the same rate imposed in 2013, the aggregate impact on private entities will be less than \$500.

III. WORKSHEET

The proposed amendment sets the rate of interest for 2014 at three percent (3%), the same rate as 2013.

The future amount of past due taxes is unknown. Because the 2014 interest rate imposed on delinquent taxes will be the same rate imposed in 2013, there will be no additional cost to private entities.

	Current Rule – 3%	Proposed Amendment – 3%
Past due tax amount	\$100.00	\$100.00
Interest amount	3.00%	3.00%
Total Amount Due	\$103.00	\$103.00

IV. ASSUMPTIONS

Under section 32.065, RSMo, the director of revenue is mandated to establish an annual adjusted rate of interest based upon the adjusted prime rate charged by banks during September of that year as set by the Board of Governors of the Federal Reserve rounded to the nearest full percentage. The actual bank prime loan rate noted by the Federal Reserve in 2013 was three and one quarter percent (3.25%). Rounded to the nearest whole percentage results in a three percent (3%) interest rate.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 35—Children's Division
Chapter 36—Alternative Care Review Board**

PROPOSED RULE

13 CSR 35-36.010 Alternative Care Review Board

PURPOSE: This rule defines the Alternative Care Review Board (ACRB), discusses the purpose of the board, and explains the process for requesting an alternative care review hearing.

(1) Definitions.

(A) Alternative Care Review Board (ACRB)—The board before whom the alternative care resource provider may appeal any decision made by the Children's Division (CD), or its contractors regarding a case management decision involving a child who is, or has been, placed in foster care with the claimant.

(B) Case Management Decision—The activity of a children's service worker in assessing family problem(s), case planning, coordinating and linking services for children and families, monitoring service provisions and progress, advocacy, tracking and evaluating services provided, and provision of aftercare service as defined in 25 C.F.R. section 20.100. A case management decision shall not include a decision made by the family support team, adoption staffing team, a court of appropriate jurisdiction, or any matter which is the subject of litigation before a court of competent jurisdiction.

(C) Resource Provider—A licensed foster parent as defined in 13 CSR 35-60.

(2) This section establishes the process for providing a fair and impartial grievance process for review of case management decisions as required by section 210.566, RSMo.

(3) Alternative Care Review Board Composition. Each administrative region of the Children's Division will establish an Alternative Care Review Board composed of seven (7) members and two (2) alternates. Members and alternates for these boards are selected as follows:

(A) Two (2) alternative care resource providers, of which one (1) shall be a licensed resource provider;

(B) Two (2) Children's Division employees;

(C) Three (3) members and two (2) alternates from the following fields or professions:

1. Community representative who has knowledge of the provision of alternative care services;
2. Professional school employee;
3. Juvenile officer or professional employee of the Juvenile Office;
4. Licensed child or family psychologist;
5. Physician, nurse, or other qualified medical professional; or
6. Children's service worker with a private agency that provides services to families and/or children; and

(D) The regional director will appoint the members of the board. The regional director shall nominate the chairperson of the board and forward the nomination to the division director or designee for approval.

(4) ACRB Terms of Office.

(A) Members and alternates shall be appointed for two (2) year terms.

(B) No member or alternate shall serve more than two (2) consecutive terms.

(C) The members of the ACRB shall meet at a location within each region at least one (1) time per month depending on the number of requests being filed. Meetings are not required if there are no pending reviews.

(D) The members of the ACRB will receive payment for reason-

able expenses associated with ACRB business, but will not receive compensation for the performance of their duties. If a member cannot attend, an alternate shall be notified and asked to attend.

(E) A quorum at any ACRB meeting will be three (3) members, of whom one (1) will be an alternative care resource provider and one (1) a CD employee.

(F) The CD Regional Director may remove and/or replace a member of the ACRB for the following reasons:

1. Death;
2. Resignation;
3. Mental or physical incapacitation which limits the member from actively serving; or
4. For good cause as determined by the division director.

(G) The information and deliberations of the ACRB shall be confidential and protected from disclosure as required by law.

(5) The process for requesting an ACRB review shall be as follows:

(A) The alternative care resource provider shall file a written request for an ACRB review with the county CD office within ten (10) days of notification of the disputed decision and request a meeting to review the matter. The written request for review shall specify the decision being grieved, and the reason for the grievance;

(B) Except as otherwise provided in this regulation, upon receipt of the grievance, staff shall take no action to implement the decision being grieved until the matter is resolved through the grievance process. The following actions shall not be stayed pending resolution of the grievance:

1. Immediate action is required by the division to protect the health, safety, or well-being of the child in care as determined by the Children's Division; or
2. The action was ordered by a court of competent authority;

(C) Upon receipt of the grievance, the county office shall schedule an informal meeting to attempt to resolve the matter. The informal meeting will include a regional representative, circuit representative, and the alternative care resource provider. The division shall notify the resource provider of the decision in writing. If the division upholds the case management action, the division shall advise the resource provider of his/her right to proceed with a request for an ACRB hearing;

(D) If the alternative care resource provider chooses to proceed with the ACRB hearing, he/she shall submit the Alternative Care Grievance Review Request form or other written request, including all pertinent information and records, within five (5) working days of the region's written decision. The division may extend the time frame for submitting information for good cause shown. The division will notify the resource provider of the date scheduled for the ACRB hearing;

(E) The division shall submit a summary of all pertinent information and a copy of the child's case record(s) to the Regional ACRB Liaison within five (5) working days of the request for the review. The division may extend the time frame for submitting information for good cause shown;

(F) The review should be scheduled to occur at the next scheduled ACRB meeting. The review may be continued if there is insufficient time for board members to prepare for the review;

(G) The review proceedings described in this subsection are informal and administrative in nature and therefore not subject to the Rules of Civil Procedure, to include the rules of discovery, employed by the civil courts of the state of Missouri. The Rules of Evidence, aside from those regarding relevancy, shall not apply to the review proceedings described in this subsection. The review proceedings set forth in this proceeding shall not be governed by those procedures set forth in Chapter 536, RSMo, but shall be governed by the following procedures:

1. The division shall first present the case management decision and the rationale thereof. CD staff may participate in the review proceeding in person or through a telephone conference with or without legal counsel;

2. Second, the alternative care resource provider/representative and/or legal counsel shall present a summary of the grievance. The resource provider's presence is not mandatory for a review to be held. He/she may submit a written statement and/or participate in the review through a telephone or video conference if equipment is available;

3. The resource provider and the division may have witnesses provide information at the review. Information will not be taken under oath and the witnesses shall not be sworn, however, the division and/or the alternative care resource provider may submit information by affidavit. However, no party to the review proceeding, to include the review panel itself, shall have the power to compel the appearance of any witness through the use of a subpoena or other means;

4. The review proceedings may, at the election of either party, be recorded through the use of an audio recording device or a court reporter. However, the review process shall not be a hearing on the record. All expenses associated with the recording of the review proceedings shall be the sole responsibility of the party desiring them; and

5. The information and deliberations of the ACRB shall be confidential and protected from disclosure to the extent required and authorized by law. The ACRB shall review and discuss all relevant materials and information and vote individually on whether to uphold, modify, or reverse the division's finding and/or decision. The ACRB shall prepare a written summary of its findings and recommended decision and present it to the CD Deputy Director upon completion. The deputy director shall discuss the recommendation with the division director. The division director shall provide the final written decision to all parties within thirty (30) days of receipt of the ACRB recommendation. The decision of the division director shall be the final decision of the division.

(6) If at any time the matter pending before the ACRB becomes the subject of a motion or other proceeding before a court of competent authority, the ACRB proceedings shall be stayed pending the resolution of the issue before the court. In the event that the matter is decided by the court, the ACRB proceedings shall be dismissed.

AUTHORITY: section 207.020, RSMo 2000, and section 210.566.6, RSMo Supp. 2013. Original rule filed Oct. 29, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Children's Division, Melody Yancey, Acting Director, PO Box 88, Jefferson City, MO 65103. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 24—Community Programs**

PROPOSED RULE

13 CSR 40-24.080 Formula for the Distribution of Community Service Block Grant Funds to Community Action Agencies

PURPOSE: This rule outlines how the Family Support Division (division) will distribute Community Service Block Grant (CSBG) manda-

tory funds to Community Action Agencies (CAA).

(1) Definitions.

(A) "Community Action Agency" or "CAA" means a private, not-for-profit agency within the state of Missouri designated by the governor of the state of Missouri as an eligible entity as defined by 42 U.S.C. section 9909.

(B) "CSBG" means Community Service Block Grant program established by 42 U.S.C. section 9901 et seq and section 660.370 et seq, RSMo.

(C) "Mandatory funds" means at least ninety percent (90%) of the total amount of CSBG funds required to be allocated to CAAs from the CSBG grant annually awarded to the state of Missouri by the United States Department of Health and Human Services, Office of Community Support, for the administration of the CSBG program.

(2) The division shall allocate the mandatory funds on the basis of federal fiscal years beginning October 1 as follows:

(A) A portion of the mandatory funds shall be distributed such that each CAA shall receive a base amount of two hundred thousand dollars (\$200,000);

(B) The portion of mandatory funds remaining after deducting the sum of the base amount awarded to CAAs shall be distributed based on the CAA's poverty population relative to the state's total poverty population utilizing the following formula:

$$((\text{Total mandatory funds}) - (\$200,000 \times \# \text{ of CAAs})) \times (\text{poverty population of the CAA} / \text{total state poverty population}) = \text{CAA poverty population allocation}$$

1. Total state poverty population shall be the total poverty population according to the most recent data published annually by the American Community Survey of the United States Census Bureau.

2. The poverty population of the designated geographic area served by a CAA shall be the total poverty population within the area as determined by the most recent data published by the American Community Survey of the United States Census Bureau.

(3) Allocations of mandatory funds to CAAs shall be based on the most recent information on availability and amounts of CSBG funding to be awarded to Missouri by the U.S. Department of Health and Human Services, Office of Community Services as of the date that the Family Support Division issues the award. Any and all distributions to CAAs are contingent on the availability of CSBG funds for that fiscal year. The division may increase or decrease the funds awarded to a CAA during the grant term depending on the availability of CSBG funds awarded to the state of Missouri by the United States Department of Health and Human Services, Office of Community Services, for the administration of the CSBG program. Any increase or decrease in the amount awarded to a CAA shall be based upon the formula set forth in subsection (2)(B) of this rule.

(4) The division shall issue a Notice of Award to the CAA. The Notice of Award shall specify the amount of the grant and the basis for the Family Support Division's Calculation. The Notice of Award shall be issued electronically.

(5) If a CAA has its CSBG funding terminated or reduced below the proportional share of funding the entity received in the previous fiscal year then that CAA may request a hearing on the record to the director of the Family Support Division pursuant to 42 U.S.C. section 9908(b)(8). The request for hearing shall be in writing and served on the director of the Family Support Division no later than thirty (30) days from the date of the Notice of Award. The request for hearing shall specify in detail the legal and factual basis for the CAA's request for hearing and shall include any factual documentation in support of the CAA's position. The hearing shall be held before the director of the Family Support Division or his/her designee. The final decision of the director shall be subject to review

by the secretary of the U.S. Department of Health and Human Services as provided in 42 U.S.C. section 9915(b).

AUTHORITY: section 660.376, RSMo Supp. 2013. Original rule filed Oct. 31, 2013.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions \$15,748,183 in the aggregate.

PRIVATE COST: This proposed rule will cost private entities \$7,177,675 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Department of Social Services, Family Support Division, PO Box 2320, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: 13 – Department of Social Services**
Division Title: 40 – Family Support Division
Chapter Title: 24 – Community Programs

Rule Number and Name:	13 CSR 40-24.080 Formula for the Distribution of Community Service Block Grant Funds to Community Action Agencies
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services, Family Support Division	\$15,748,183

III. WORKSHEET

CAA	Base	Allocation based on New Poverty-2011	Total Allocation
CAASTLC	\$200,000	\$1,494,138	\$1,694,138
CAPSTJOE	\$200,000	\$268,066	\$468,066
CMCA	\$200,000	\$734,591	\$934,591
CSI	\$200,000	\$100,823	\$300,823
DAEOC	\$200,000	\$445,417	\$645,417
EMAA	\$200,000	\$553,587	\$753,587
ESC	\$200,000	\$466,719	\$666,719
GHCAA	\$200,000	\$168,034	\$368,034
JFCAC	\$200,000	\$446,959	\$646,959
MOCA	\$200,000	\$511,125	\$711,125
MVCAA	\$200,000	\$373,619	\$573,619
NECAC	\$200,000	\$706,071	\$906,071
NMCAA	\$200,000	\$120,855	\$320,855
OACAC	\$200,000	\$1,333,775	\$1,533,775
OAI	\$200,000	\$364,147	\$564,147
PCAC	\$200,000	\$1,101,122	\$1,301,122
SCMCAA	\$200,000	\$327,853	\$527,853
USCAA	\$200,000	\$1,952,979	\$2,152,979
WCMCAA	\$200,000	\$478,303	\$678,303
Total	\$3,800,000	\$11,948,183	\$15,748,183

IV. ASSUMPTIONS

All funding that is allocated to the Community Action Agencies (CAAs) for the Community Service Block Grant (CSBG) program is derived solely from federal funding. There is no additional cost imposed on DSS, FSD. The above estimated cost to the Department of Social Services (DSS), Family Support Division (FSD) is based on the following assumptions:

- A. The amount of \$15,748,183 is based on the assumption that FSD will receive 100% of what it received from the U.S. Department of Health and Human Services, Office of Community Support for federal fiscal year 2013. Because DSS, FSD has not yet received full funding for federal fiscal year 2014, it is uncertain that this will be the case.
- B. The amount of \$15,748,183 allocated to the nineteen CAAs is 90% of the total anticipated funding (\$17,497,981) as required by federal law.
- C. The amount allocated to the CAAs is based on a poverty population of the CAAs' geographic area relative to the total state poverty population. This data is derived from the 2011 American Community Survey of the U.S. Census Bureau. This poverty population data may change from year to year.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 13 – Department of Social Services**
Division Title: 40 – Family Support Division
Chapter Title: 24 – Community Programs

Rule Number and Name:	13 CSR 40-24.080 Formula for the Distribution of Community Service Block Grant Funds to Community Action Agencies
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
3	Non-profit Community Action Agencies	\$7,177,675

III. WORKSHEET

Funding Loss for 2014-2018 (Private Costs for 24.080.2(B))

	2014	2015	2016	2017	2018	Aggregate
DAEOC	\$65,250	\$130,499	\$195,748	\$260,997	\$326,246	\$978,740
GHCAA	\$24,346	\$48,693	\$73,040	\$97,387	\$121,734	\$365,200
PCAC	\$388,915	\$777,831	\$1,166,747	\$1,555,663	\$1,944,579	\$5,833,735
Total	\$478,511	\$957,023	\$1,435,535	\$1,914,047	\$2,392,559	\$7,177,675

IV. ASSUMPTIONS

All funding that is allocated to the Community Action Agencies (CAAs) for the Community Service Block Grant (CSBG) program is derived solely from federal funding. The above estimated cost is the estimated difference between what these three CAAs were receiving in federal fiscal year 2013 and what they will be receiving in federal fiscal year 2014. These losses incurred by these CAAs are based on the following assumptions:

- A. The amount of \$7,177,677 is based on the assumption that FSD will receive 100% of what it received from the U.S. Department of Health and Human Services, Office of Community Support for federal fiscal year 2013. Because DSS, FSD has not yet received full funding for federal fiscal years 2014-2018, it is uncertain that this will be the case.

- B. The amount allocated to the CAAs is based on a poverty population of the CAAs' geographic area relative to the total state poverty population. This data is derived from the 2011 American Community Survey of the U.S. Census Bureau. This poverty population data may change from year to year.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 24—Community Programs**

PROPOSED RULE

13 CSR 40-24.090 Supplemental Funding Formula for Community Action Agencies to Administer the CSBG Program

PURPOSE: This rule outlines how the Family Support Division (division) will supplement Community Service Block Grant (CSBG) funds for those Community Action Agencies (CAA) that will be receiving less than the proportional share the CAA received in federal fiscal year 2013.

(1) The definitions set forth in 13 CSR 40-24.080 shall apply to this rule.

(2) Beginning in federal fiscal year 2014, the division shall distribute Community Service Block Grant (CSBG) mandatory funds to all Community Action Agencies (CAA) based on the funding formula set forth in 13 CSR 40-24.080. Over a period of five (5) years, the division shall provide supplemental funding for any CAA that will be receiving less than the proportional share the CAA received in federal fiscal year 2013 as a result of the funding formula set forth in 13 CSR 40-24.080 as follows:

(A) For federal fiscal year 2014, the division shall distribute supplemental funding equal to eighty percent (80%) of the difference between the proportional share the CAA received in federal fiscal year 2013 and the CSBG mandatory funding it received in federal fiscal year 2014.

(B) For federal fiscal year 2015, the division shall distribute supplemental funding equal to sixty percent (60%) of the difference between the proportional share the CAA received in federal fiscal year 2013 and the CSBG mandatory funding it received in federal fiscal year 2014.

(C) For federal fiscal year 2016, the division shall distribute supplemental funding equal to forty percent (40%) of the difference between the proportional share the CAA received in federal fiscal year 2013 and the CSBG mandatory funding it received in federal fiscal year 2014.

(D) For federal fiscal year 2017, the division shall distribute supplemental funding equal to twenty percent (20%) of the difference between the proportional share the CAA received in federal fiscal year 2013 and the CSBG mandatory funding it received in federal fiscal year 2014.

(E) For federal fiscal year 2018 thereafter, the division shall cease providing supplemental funding to those CAAs that will be receiving less than the proportional share the CAA received in federal fiscal year 2013 and all CAAs shall receive funding based entirely on the funding formula set forth in 13 CSR 40-24.080.

(3) The division may distribute CSBG discretionary grant funds, as defined in 13 CSR 40-24.080, to comply with the requirements of this rule.

(4) Any and all distributions to CAAs are contingent on the amount of the CSBG grant annually awarded to the state of Missouri by the United States Department of Health and Human Services, Office of Community Services.

(5) Supplemental funding is contingent on sufficient funds that are appropriated by the legislature for such purpose.

AUTHORITY: section 660.376, RSMo Supp. 2013. Original rule filed Oct. 31, 2013.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions \$4,785,116 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Department of Social Services, Family Support Division, PO Box 2320, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: 13 – Department of Social Services**
Division Title: 40 – Family Support Division
Chapter Title: 24 – Community Programs

Rule Number and Name:	13 CSR 40-24.090 Supplemental Funding Formula for Community Action Agencies to Administer the CSBG Program
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services, Family Support Division	\$4,785,116

III. WORKSHEET

Loss in funding from old formula to new formula

DAEOC	\$326,246.00
GHCAA	\$121,734.00
PCAC	\$1,944,579.00
Total	\$2,392,559.00

The loss in funding will be partially supplemented in federal fiscal years 2014 through 2017 by supplementing the difference between funding at the new formula from the old formula at:

FY2014: 80%
FY2015: 60%
FY2016: 40%
FY2017: 20%

Supplemental Funding for 2014-2017 (Public Costs for 24.090)

	2014	2015	2016	2017	Aggregate
DAEOC	\$260,997	\$195,748	\$130,499	\$65,250	\$652,494
GHCAA	\$97,387	\$73,040	\$48,693	\$24,346	\$243,466
PCAC	\$1,555,663	\$1,166,747	\$777,831	\$388,915	\$3,889,156
Total	\$1,914,047	\$1,435,535	\$957,023	\$478,511	\$4,785,116

IV. ASSUMPTIONS

Supplemental funding is derived from federal funding for the CSBG program. CSBG discretionary funding will be used for the supplemental funding for the three CAAs who will be losing funding based on the new funding formula set forth in 13 CSR 40-24.080. There is no additional cost imposed on DSS, FSD. The above estimated cost to the Department of Social Services (DSS), Family Support Division (FSD) is based on the following assumptions:

- A. The amount of \$4,785,116 is based on the assumption that FSD will receive 100% of what it received from the U.S. Department of Health and Human Services, Office of Community Support for federal fiscal year 2013. Because DSS, FSD has not yet received full funding for federal fiscal year 2014, it is uncertain that this will be the case.
- B. The amount allocated to the CAAs is based on a poverty population of the CAAs' geographic area relative to the total state poverty population. This data is derived from the 2011 American Community Survey of the U.S. Census Bureau. This poverty population data may change from year to year.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 24—Community Programs**

PROPOSED RULE

13 CSR 40-24.100 Use of Community Service Block Grant Discretionary Funds

PURPOSE: This rule outlines how the Family Support Division (division) will use discretionary funds that are awarded to the Family Support Division by the U.S. Department of Health and Human Services for the administration of the Community Service Block Grant (CSBG) program.

(1) The definitions set forth in 13 CSR 40-24.080 shall apply to this rule.

(A) “Discretionary grant funds” means no more than ten percent (10%) of the total amount of the CSBG grant annually awarded to the state of Missouri by the United States Department of Health and Human Services, Office of Community Support, for the administration of the CSBG program that may be reserved and/or distributed at the discretion of the division.

(2) The division shall use discretionary grant funds for purposes outlined in 42 U.S.C. section 9907(b). The division may use no more than five percent (5%) of the total annual amount of CSBG funds awarded to the state of Missouri by the United States Department of Health and Human Services, Office of Community Services, for administrative expenses, including monitoring activities. Any unused CSBG funds may be used by the division for other discretionary uses pursuant to this section.

(3) Subject to the availability of discretionary grant funds, discretionary grant funds may be used for the following purposes consistent with those identified in 42 U.S.C. section 9907(b):

(A) Address a priority need identified by the division related to the causes and conditions of poverty or a specific target population impacted by these same causes and conditions;

(B) Training and technical assistance to increase the capacity and sustainability of eligible entities and/or discretionary funded providers, as well as improve the quality of their services;

(C) Responses to natural or man-made disasters; and

(D) Evidence-based, innovative and/or demonstration projects that improve the causes and conditions of poverty for low-income individuals, families, and communities, including specific target populations, and support efforts that reduce poverty; revitalize low-income communities; and empower low-income families and individuals to become fully self-sufficient.

(4) Any non-profit entity or local unit of government seeking funding from the discretionary grant funds from the division may contact the division to inquire regarding the availability of discretionary funds. In order to be considered for funding for the following fiscal year, non-profit entities or local units of government must submit applications from July 15 to August 15. An exception to the application time frame may be made due to extenuating circumstances as determined by the division. The application must contain the following:

(A) Description of need including information regarding the proposed use of funds including demographic and other relevant data to support need;

(B) Proposed target population;

(C) Organization and governance including information on the applicant’s organization and governance structure, a description of the agency’s history, vision and mission, services provided, and number and roles of current staff. The applicant must provide information on the applicant’s board of directors, by-laws, and a list of

current board members;

(D) Coordination of services including a description of how the applicant will ensure services support or complement, but not duplicate, services being provided by other related agencies;

1. The applicant must provide a description of any proposed coalition(s), partnerships, organizations, cooperating entities, consultants, or any other entities or individuals with which the applicant may be contracting or collaborating. The applicant must include a letter of commitment from entities that have identified roles in the use of CSBG discretionary funds;

(E) Implementation plan that addresses the program or project goal(s), action steps, person(s) responsible for the completion of the goals, timeline for completion, and evaluation measures;

(F) Personnel information including the educational background and work experience of project and management staff. The applicant must include an organizational chart showing the lines of personnel authority. The organizational chart shall include:

1. The relationship of project staff to management and support staff;

2. The names of employees and their titles; and

3. The existence of sub-contractors;

(G) Management including a description of how services of the grant agreement will be managed, controlled, and supervised in order to ensure satisfactory grant agreement performance; and

(H) Itemized budget and budget narrative.

(5) In addition to providing the information set forth in section (6), a non-profit entity submitting an application to receive discretionary grant funds must provide the following information and documentation:

(A) Certified copy of the non-profit entity’s articles of incorporation;

(B) Certified documents showing that the organization is in good standing;

(C) A copy of the most recent audit showing that the non-profit entity is compliant with the American Institute of Certified Public Accountants Standards;

(D) Documentation establishing that the non-profit entity is designated as a non-profit organization by the *Internal Revenue Service* under 26 U.S.C. section 501(c)(3); and

(E) Any other documents that the division may request from time-to-time to establish the continued good standing of the organization.

(6) A non-profit entity or local unit of government shall fully cooperate with the division including providing all records, documents, and information requested during the application process and at any time upon granting funding to the non-profit entity or local government.

(7) Upon review of the application, the division shall issue a determination to the entity. The determination is subject to the division’s discretion.

(8) Any previous discretionary funded non-profit entity or local unit of government is not entitled to discretionary funding awards and must reapply annually.

(9) Any unused discretionary grant funds may be carried over into the following federal fiscal year to be used for purposes consistent with this section and for the purposes for which the funds were awarded.

AUTHORITY: section 660.376, RSMo Supp. 2013. Original rule filed Oct. 31, 2013.

PUBLIC COST: This proposed rule will cost state agencies and political subdivisions \$1,749,798 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Department of Social Services, Family Support Division, PO Box 2320, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: 13 – Department of Social Services**
Division Title: 40 – Family Support Division
Chapter Title: 24 – Community Programs

Rule Number and Name:	13 CSR 40-24.100 Use of Community Service Block Grant Discretionary Funds
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services, Family Support Division	\$1,749,798

III. WORKSHEET

Full 2013 Funding	17,497,981	Yearly Costs
90%	15,748,183	Aggregate Public Cost for 24.080(2)
10% Remainder	1,749,798	Aggregate Cost for 24.100(1)(A)
5% Admin	874,899	Admin for 24.100(2); and Discretionary for 24.100(2)

IV. ASSUMPTIONS

Supplemental funding is derived from federal funding for the CSBG program. CSBG discretionary funding will be used for the supplemental funding for the three CAAs who will be losing funding based on the new funding formula set forth in 13 CSR 40-24.080. There is no additional cost imposed on DSS, FSD. The above estimated cost to the Department of Social Services (DSS), Family Support Division (FSD) is based on the following assumptions:

- A. The amount of \$1,749,798 is based on the assumption that FSD will receive 100% of what it received from the U.S. Department of Health and Human Services, Office of Community Support for federal fiscal year 2013. Because DSS, FSD has not yet received full funding for federal fiscal year 2014, it is uncertain that this will be the case.

- B. These figures are based on the assumption that DSS, FSD may use no more than 5% of the total amount of CSBG funds for federal fiscal year 2014 for its administrative costs and 5% of the total amount of CSBG funds for purposes outlined in the rule. In past years, DSS, FSD used on average 2% of the total CSBG funding for its administrative costs and the remaining 8% for purposes outlined in the rule.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 10—Nursing Home Program**

PROPOSED AMENDMENT

13 CSR 70-10.016 Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates. The division is adding paragraph (3)(A)17.

PURPOSE: This amendment provides for a per diem increase to nursing facility and HIV nursing facility per diem reimbursement rates by granting a three percent (3%) increase to the current per diem rate, excluding certain fixed cost items, for dates of service beginning July 1, 2013.

(3) Adjustments to the Reimbursement Rates. Subject to the limitations prescribed in 13 CSR 70-10.015, a nursing facility's reimbursement rate may be adjusted as described in this section. Subject to the limitations prescribed in 13 CSR 70-10.080, an HIV nursing facility's reimbursement rate may be adjusted as described in this section.

(A) Global Per Diem Rate Adjustments. A facility with either an interim rate or a prospective rate may qualify for the global per diem rate adjustments. Global per diem rate adjustments shall be added to the specified cost component ceiling.

1. FY-96 negotiated trend factor—

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1995, shall be granted an increase to their per diem effective October 1, 1995, of four and six-tenths percent (4.6%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., and the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1995, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

2. FY-97 negotiated trend factor—

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1996, shall be granted an increase to their per diem effective October 1, 1996, of three and seven-tenths percent (3.7%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., and the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1995, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

3. Nursing Facility Reimbursement Allowance (NFRA). Effective October 1, 1996, all facilities with either an interim rate or a prospective rate shall have its per diem adjusted to include the current NFRA as an allowable cost in its reimbursement rate calculation.

4. Minimum wage adjustment. All facilities with either an interim rate or a prospective rate in effect on November 1, 1996, shall be granted an increase to their per diem effective November 1, 1996, of two dollars and forty-five cents (\$2.45) to allow for the change in minimum wage. Utilizing Fiscal Year 1995 cost report data, the total industry hours reported for each payroll category was multiplied by the fifty-cent (50¢) increase, divided by the patient days for the facilities reporting hours for that payroll category and factored up by eight and sixty-seven hundredths percent (8.67%) to account for the related increase to payroll taxes. This calculation excludes the director of nursing, the administrator, and assistant administrator.

5. Minimum wage adjustment. All facilities with either an interim rate or a prospective rate in effect on September 1, 1997, shall be granted an increase to their per diem effective September 1, 1997, of one dollar and ninety-eight cents (\$1.98) to allow for the change in minimum wage. Utilizing Fiscal Year 1995 cost report data, the

total industry hours reported for each payroll category was multiplied by the forty-cent (40¢) increase, divided by the patient days for the facilities reporting hours for that payroll category and factored up by eight and sixty-seven hundredths percent (8.67%) to account for the related increase to payroll taxes. This calculation excludes the director of nursing, the administrator, and assistant administrator.

6. FY-98 negotiated trend factor—

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1997, shall be granted an increase to their per diem effective October 1, 1997, of three and four-tenths percent (3.4%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., and the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015 for nursing facilities and 13 CSR 70-10.080 for HIV nursing facilities; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1995, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

7. FY-99 negotiated trend factor—

A. Facilities with either an interim rate or prospective rate in effect on October 1, 1998, shall be granted an increase to their per diem effective October 1, 1998, of two and one-tenth percent (2.1%) of the cost determined in paragraphs (11)(A)1., (11)(B)1., (11)(C)1., the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015 for nursing facilities and 13 CSR 70-10.080 for HIV nursing facilities, and the minimum wage adjustments detailed in paragraphs (3)(A)4. and (3)(A)5. of this regulation; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on October 1, 1998, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

8. FY-2000 negotiated trend factor—

A. Facilities with either an interim rate or prospective rate in effect on July 1, 1999, shall be granted an increase to their per diem effective July 1, 1999, of one and ninety-four hundredths percent (1.94%) of the cost determined in subsections (11)(A), (11)(B), (11)(C), the property insurance and property taxes detailed in subsection (11)(D) of 13 CSR 70-10.015 for nursing facilities and 13 CSR 70-10.080 for HIV nursing facilities, and the minimum wage adjustments detailed in paragraphs (3)(A)4. and (3)(A)5. of this regulation; or

B. Facilities that were granted a prospective rate based on paragraph (12)(A)2. of 13 CSR 70-10.015 that is in effect on July 1, 1999, shall have their increase determined by subsection (3)(S) of 13 CSR 70-10.015.

9. FY-2004 nursing facility operations adjustment—

A. Facilities with either an interim rate or prospective rate in effect on July 1, 2003, shall be granted an increase to their per diem effective for dates of service beginning July 1, 2003, through June 30, 2004, of four dollars and thirty-two cents (\$4.32) for the cost of nursing facility operations. Effective for dates of service beginning July 1, 2004, the per diem adjustment shall be reduced to three dollars and seventy-eight cents (\$3.78); and

B. The operations adjustment shall be added to the facility's current rate as of June 30, 2003, and is effective for payment dates after August 1, 2003.

10. FY-2007 quality improvement adjustment—

A. Facilities with either an interim rate or prospective rate in effect on July 1, 2006, shall be granted an increase to their per diem effective for dates of service beginning July 1, 2006, of three dollars and seventeen cents (\$3.17) to improve the quality of life for nursing facility residents; and

B. The quality improvement adjustment shall be added to the facility's current rate as of June 30, 2006, and is effective for dates of service beginning July 1, 2006, and after.

11. FY-2007 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on February 1, 2007, shall be granted an increase to their per diem rate effective for dates of service beginning February 1, 2007, of three dollars and zero cents (\$3.00) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's reimbursement rate as of January 31, 2007, and is effective for dates of service beginning February 1, 2007, for payment dates after March 1, 2007.

12. FY-2008 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2007, shall be granted an increase to their per diem rate effective for dates of service beginning July 1, 2007, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2007, and is effective for dates of service beginning July 1, 2007.

13. FY-2009 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2008, shall be granted an increase to their per diem rate effective for dates of service beginning July 1, 2008, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2008, and is effective for dates of service beginning July 1, 2008.

14. FY-2010 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2009, shall be granted an increase to their per diem rate effective for dates of service beginning July 1, 2009, of five dollars and fifty cents (\$5.50) to allow for a trend adjustment to ensure quality nursing facility services; and

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2009, and is effective for dates of service beginning July 1, 2009.

15. FY-2012 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on October 1, 2011, shall be granted an increase to their per diem rate effective for dates of service beginning October 1, 2011, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services;

B. The trend adjustment shall be added to the facility's current rate as of September 30, 2011, and is effective for dates of service beginning October 1, 2011; and

C. This increase is contingent upon the federal assessment rate limit increasing to six percent (6%) and is subject to approval by the Centers for Medicare and Medicaid Services.

16. FY-2013 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2012, shall be granted an increase to their per diem rate effective for dates of services beginning July 1, 2012, of six dollars and zero cents (\$6.00) to allow for a trend adjustment to ensure quality nursing facility services;

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2012, and is effective for dates of service beginning July 1, 2012; and

C. This increase is contingent upon approval by the Centers for Medicare and Medicaid Services.

17. FY-2014 trend adjustment—

A. Facilities with either an interim rate or a prospective rate in effect on July 1, 2013, shall be granted an increase to their per diem rate effective for dates of services beginning July 1, 2013, of three percent (3%) of their current rate, less certain fixed cost items. The fixed cost items are the per diem amounts included in the facility's current rate from the following: subsection (2)(O) of 13 CSR 70-10.110, paragraphs (11)(D)1., (11)(D)2., (11)(D)3., (11)(D)4., (13)(B)3. and (13)(B)10. of 13 CSR 70-

10.015;

B. The trend adjustment shall be added to the facility's current rate as of June 30, 2013, and is effective for dates of service beginning July 1, 2013; and

C. This increase is contingent upon approval by the Centers for Medicare and Medicaid Services.

AUTHORITY: section 208.159, RSMo 2000, and sections 208.153 and 208.201, RSMo Supp. [2012] 2013. Original rule filed July 1, 2008, effective Jan. 30, 2009. For intervening history, please consult the Code of State Regulations. Amended: Filed Oct. 30, 2013.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately \$33,739,530 in SFY 2014.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be delivered by regular mail, express or overnight mail, in person, or by courier within thirty (30) days after publication of this notice in the Missouri Register. If to be hand-delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Title 13 - Department of Social Services
Division Title: Division 70 - MO HealthNet Division
Chapter Title: Chapter 10 - Nursing Home Program

Rule Number and Name:	13 CSR 70-10.016 Global Per Diem Adjustments to Nursing Facility and HIV Nursing Facility Reimbursement Rates
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services MO HealthNet Division	Estimated cost for SFY 2014: \$33,739,530

III. WORKSHEET

Description	NFRA Add-On Increase	Effect on Hospice in NF	Total Impact
Estimated Paid Days: SFY 2014	8,420,283	684,441	
Estimated Average Per Diem Increase	\$3.72	\$3.53	
Total Estimated Impact: SFY 2014	\$31,323,453	\$2,416,077	\$33,739,530
State Share (38.135%)	\$11,945,199	\$ 921,371	\$12,866,570
Federal Share (61.865%)	\$19,378,254	\$1,494,706	\$20,872,960

IV. ASSUMPTIONS

Estimated Average Per Diem Increase Impact:

The estimated average per diem increase is determined by applying the three percent (3.0%) trend to the nursing facility per diems excluding certain fixed costs. The fixed costs excluded in determining the trend impact are set forth in subparagraph (3)(A)17.A.

Estimated Paid Days:

Nursing Facility:

The estimated paid days for SFY 2014 are based on the actual Medicaid days paid for nursing facility services during SFY 2012, increased by 0.5% for 2013 and an additional 0.5% for 2014.

Hospice:

The estimated paid days for SFY 2014 for hospice are based on the actual hospice days provided in nursing facilities from January 2012 through December 2012.

Effect on Hospice:

Hospice providers are reimbursed 95% of the nursing facility per diem for hospice participants residing in a nursing facility. The average per diem rate increase for the 3% trend will be \$3.72. The increase to hospice reimbursement rates resulting from this amendment is \$3.53 ($\$3.72 \times 95\%$).

**Title 14—DEPARTMENT OF CORRECTIONS
Division 80—State Board of Probation and Parole
Chapter 5—Intervention Fee**

PROPOSED AMENDMENT

14 CSR 80-5.010 Definitions for Intervention Fee. The board is adding a new subsection (1)(G).

PURPOSE: This amendment changes the definitions used in this regulation.

(1) For the purpose of 14 CSR 80-5—

(E) The term “income” refers to gross earnings, unemployment compensation, worker’s compensation, Social Security, Supplemental Security Income, public assistance, veteran’s payments, survivor benefits, pension and retirement income, interest, dividends, rents, royalties, income from estates, trusts, educational assistance, alimony, child support, assistance from outside the household, and other miscellaneous sources. Non-cash benefits, such as food stamps and housing subsidies, are not considered income; *[and]*

(F) The term “family member” means any relative, by blood or marriage, who resides in the same household. Non-relatives, such as housemates, are not included~~./~~; **and**

(G) **The term “Dual Case” means an offender has both a court case and a parole board controlled case.**

AUTHORITY: sections 217.040 and 217.755, RSMo 2000, and section 217.690, RSMo Supp. [2011] 2013. Emergency rule filed Oct. 6, 2005, effective Nov. 1, 2005, expired April 29, 2006. Original rule filed Oct. 6, 2005, effective April 30, 2006. Amended: Filed Aug. 1, 2008, effective Jan. 30, 2009. Amended: Filed Oct. 19, 2011, effective May 30, 2012. Amended: Filed Nov. 1, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Corrections, State Board of Probation and Parole, Ellis McSwain Jr., Chairman, 3400 Knipp Drive, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 14—DEPARTMENT OF CORRECTIONS
Division 80—State Board of Probation and Parole
Chapter 5—Intervention Fee**

PROPOSED AMENDMENT

14 CSR 80-5.020 Intervention Fee Procedure. The board is amending subsections (1)(C), (E), and (I).

PURPOSE: This amendment revises the method of payment, specifies that initial parole or conditional releases, and dual cases, are exempt from payment of intervention fees for the first ninety (90) days of their supervision, specifies that specialty court cases designated by the department are exempted from interview fees, identifies Offender Financial Services as the designated collection agency and notifies that eligible debt will be sent to the Department of Revenue for tax interception.

(1) The following procedures apply to the collection of an offender intervention fee.

(C) Fees will be collected as follows:

1. Offenders shall be provided instructions on payment methods and procedures. Staff shall not accept money in any form from an offender;

2. The intervention fee shall be due on the first day of the first full month following placement under board supervision on probation, parole, or conditional release. **Initial Parole or Conditional Releases are exempt for the first ninety (90) days.** The fee shall be due thereafter on the first working day of each month until supervision is terminated;

3. Payments shall be deemed delinquent after the fifteenth day of the month, including the final month of supervision;

4. *[Pre-printed envelopes, p/*Payment vouchers, and payment instructions will be provided to the offender; and

5. Payment instructions to the offender will indicate the following:

A. Payments must be submitted directly to the designated collection authority. Probation and parole staff will not accept payments;

B. Only money orders, cashier’s checks, or payment via an approved electronic payment service will be accepted. Personal checks and cash will not be accepted; and

C. The completed payment voucher shall accompany the payment.

(E) Offenders will be exempt~~ed/~~ from paying intervention fees under the following circumstances:

1. Offenders released to parole or conditional release are exempt for the first ninety (90) days. At the ninety- (90-) day mark, the case will be reviewed. Should the offender not meet the criteria for a waiver, intervention fees will be assessed beginning with the first day of the month following the determination that an exemption or waiver is no longer approved. **If the offender has a dual case, then exemptions still apply and monthly intervention fees do not accrue for ninety (90) days following release/; and/.**

2. *[Pre-trial, drug court, and/* Specialty courts designated by the department, to include deferred prosecution cases are exempted from paying the intervention fee.

(I) The following process for sanctions regarding nonpayment shall be applied:

1. *[The designated collection agency is responsible for collecting payments of the intervention fee/* **The primary collection activity shall be the responsibility of Offender Financial Services;**

2. Upon receiving notification from *[the designated agency/* **Offender Financial Services** that an offender has failed to submit the intervention fee, the supervising officer will remind the offender of the payment obligation, during their next contact;

3. The supervising officer should direct the offender to specific programs or services that will assist him/her in addressing their inability to pay (i.e., financial management program, employment counseling and/or job seeking classes, substance abuse counseling, mental health counseling, etc.);

4. When willful nonpayment occurs over a period of ninety (90) consecutive days, the supervising officer shall submit notice of citation or violation report;

[5. Offenders who are not current on their intervention fee payments may not be eligible for transfer to minimum supervision, interstate transfer or early discharge consideration;]

[6.]5. Sanctions for willful nonpayment of intervention fees include, but are not limited to the following:

A. Written reprimand from district administrator or parole board;

B. Travel restriction;

C. Community service;

D. Increased level of supervision; and

E. Shock Detention;

[7.]6. Unpaid intervention fees owed by offenders committed to the Division of Adult Institutions (DAI) will be collected from the inmate's account; *[and]*

[8.]7. All intervention fees collected by the department will be deposited in the inmate fund established in section 217.430, RSMo, with expenditures occurring as authorized through the state budget appropriation process[.]; **and**

8. Offender Financial Services will send eligible debt, at least annually, to the Department of Revenue for income tax interception.

AUTHORITY: sections 217.040 and 217.755, RSMo 2000, and section 217.690, RSMo Supp. [2011] 2013. Emergency rule filed Oct. 6, 2005, effective Nov. 1, 2005, expired April 29, 2006. Original rule filed Oct. 6, 2005, effective April 30, 2006. Amended: Filed Aug. 7, 2006, effective Feb. 28, 2007. Amended: Filed: August 1, 2008, effective Jan. 30, 2009. Amended: Filed Oct. 19, 2011, effective May 30, 2012. Amended: Filed Nov. 1, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Corrections, State Board of Probation and Parole, Ellis McSwain, Jr., Chairman, 3400 Knipp Drive, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 3—Air Pollution Control Rules Specific to the
Outstate Missouri Area**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo Supp. 2013, the commission rescinds a rule as follows:

10 CSR 10-3.010 Auto Exhaust Emission Controls is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 1, 2013 (38 MoReg 1100-1101). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received no comments on the proposed rescission.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 6—Permitting Requirements for Surface and
Underground Coal Mining and Reclamation Operations
and Coal Exploration**

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under

section 444.530, RSMo 2000, and section 444.767, RSMo Supp. 2013, the commission amends a rule as follows:

10 CSR 40-6.030 Surface Mining Permit Applications—Minimum Requirements for Legal, Financial, Compliance, and Related Information is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1298-1299). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 6—Permitting Requirements for Surface and
Underground Coal Mining and Reclamation Operations
and Coal Exploration**

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under section 444.530, RSMo 2000, and section 444.767, RSMo Supp. 2013, the commission amends a rule as follows:

10 CSR 40-6.070 Review, Public Participation and Approval of Permit Applications and Permit Terms and Conditions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1299-1300). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 6—Permitting Requirements for Surface and
Underground Coal Mining and Reclamation Operations
and Coal Exploration**

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under section 444.530, RSMo 2000, and section 444.767, RSMo Supp. 2013, the commission amends a rule as follows:

10 CSR 40-6.100 Underground Mining Permit Applications—Minimum Requirements for Legal, Financial, Compliance, and Related Information is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1300-1301). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 8—Definitions and General Requirements

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under section 444.530, RSMo 2000, and section 444.767, RSMo Supp. 2013, the commission amends a rule as follows:

10 CSR 40-8.030 Permanent Program Inspection and Enforcement is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1301). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 8—Definitions and General Requirements

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under section 444.530, RSMo 2000, and section 444.767, RSMo Supp. 2013, the commission amends a rule as follows:

10 CSR 40-8.040 Penalty Assessment is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1301–1303). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 10—Nursing Home Program

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under section 208.159, RSMo 2000, and sections 208.153 and 208.201, RSMo Supp. 2013, the division amends a rule as follows:

13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1218–1221). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 10—Nursing Home Program

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under section 208.201, RSMo Supp. 2013, the division amends a rule as follows:

13 CSR 70-10.160 Public/Private Long-Term Care Services and Supports Partnership Supplemental Payment to Nursing Facilities is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1221–1222). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 15—Hospital Program

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 208.152, 208.153, and 208.201, RSMo Supp. 2013, the division amends a rule as follows:

13 CSR 70-15.010 Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1222–1225). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Social Services, MO HealthNet Division received no comments on the proposed amendment.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 15—Hospital Program

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 208.201 and 208.453, RSMo Supp. 2013, and section 208.455, RSMo 2000, the division amends a rule as follows:

13 CSR 70-15.110 Federal Reimbursement Allowance (FRA) is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1226–1231). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Social Services, MO HealthNet Division received no comments on the proposed amendment.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 15—Hospital Program**

ORDER OF RULEMAKING

By the authority vested in the MO HealthNet Division under sections 208.152, 208.153, and 208.201, RSMo Supp. 2013, the division amends a rule as follows:

13 CSR 70-15.160 Prospective Outpatient Hospital Services Reimbursement Methodology **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1232). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Social Services, MO HealthNet Division (MHD) received no comments on the proposed amendment.

**Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 1—Organization and Operation of Board of Trustees**

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

16 CSR 10-1.040 Election to Fill Vacancy on Board of Trustees **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1232–1233). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 3—Funds of Retirement System**

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

16 CSR 10-3.010 Payment of Funds to the Retirement System **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1233–1234). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 4—Membership and Creditable Service**

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

16 CSR 10-4.005 Requirements for Membership **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1234–1235). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 5—Retirement, Options and Benefits**

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

16 CSR 10-5.010 Service Retirement **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1235). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 6—The Public Education Employee Retirement System of Missouri**

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

16 CSR 10-6.020 Source of Funds is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1235-1237). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 10—The Public School Retirement System of Missouri
Chapter 6—The Public Education Employee Retirement System of Missouri

ORDER OF RULEMAKING

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

16 CSR 10-6.060 Service Retirement is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1237). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**
Division 2145—Missouri Board of Geologist Registration
Chapter 1—General Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Geologist Registration under section 256.462, RSMo 2000, and section 256.465.2., RSMo Supp. 2013, the board amends a rule as follows:

20 CSR 2145-1.040 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2013 (38 MoReg 1114-1115). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received two (2) comments in response to the proposed amendment.

COMMENT #1: A licensee of the board commented that the fifty dollar (\$50) late fee charged by the board should be reduced to the same or less than the twenty-five dollar (\$25) uncollectable fee for an uncollectable check charged by the board.

RESPONSE: The subject matter of the comment is not under review in the proposed amendment. Therefore, the board chose not to make any changes to the proposed amendment as a result of this comment. The comment will be considered by the board the next time the reg-

ulation is open for review.

COMMENT #2: Frank Bogle, PG, CPG, Senior Project Manager for Tetra Tech, commented that the proposed rule changes are reasonable and agrees that the changes should be made.

RESPONSE: The board would like to thank Mr. Bogle for his comment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**
Division 2145—Missouri Board of Geologist Registration
Chapter 2—Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Geologist Registration under section 256.462.3, RSMo 2000, and section 256.468, RSMo Supp. 2013, the board amends a rule as follows:

20 CSR 2145-2.020 Educational Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2013 (38 MoReg 1116). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received two (2) comments in response to the proposed amendment.

COMMENT #1: Justin Foss expressed his concerns and opposition to the educational requirements proposed in this amendment. He is concerned that new educational requirements could disqualify some applicants.

RESPONSE: The board responded that section (6) of the rule gives the board discretion to take all programs into consideration and believes any of Mr. Foss's concerns could be addressed under that provision of the rule. Therefore, the board chose to proceed with the amendment as proposed.

COMMENT #2: Frank Bogle, PG, CPG, Senior Project Manager for Tetra Tech, commented that the proposed rule changes are reasonable and agrees that the changes should be made.

RESPONSE: The board would like to thank Mr. Bogle for his comment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**
Division 2145—Missouri Board of Geologist Registration
Chapter 2—Licensure Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Geologist Registration under section 256.462.3, RSMo 2000, and section 256.468.3, RSMo Supp. 2013, the board amends a rule as follows:

20 CSR 2145-2.030 Post-Baccalaureate Experience in Geology is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2013 (38 MoReg 1116-1117). No changes have been made in the text of the

proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received two (2) comments in response to the proposed amendment.

COMMENT #1: Charles Joyce, Senior Project Geologist with SCS Aquaterra, commented on supervisors being required to be registered geologists.

RESPONSE: The subject matter of the comment is not under review in the proposed amendment. Therefore, the board chose not to make any changes to the proposed amendment as a result of this comment. The comment will be considered by the board the next time the regulation is open for review. The board would like to thank Mr. Joyce for his comment.

COMMENT #2: Frank Bogle, PG, CPG, Senior Project Manager for Tetra Tech, commented that the proposed rule changes are reasonable and agrees that the changes should be made.

RESPONSE: The board would like to thank Mr. Bogle for his comment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2145—Missouri Board of Geologist Registration
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Geologist Registration under section 256.462.3, RSMo 2000, and section 324.008.1, RSMo Supp. 2013, the board adopts a rule as follows:

20 CSR 2145-2.065 Temporary Courtesy License is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 1, 2013 (38 MoReg 1117–1119). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment in response to the proposed rule.

COMMENT: Frank Bogle, PG, CPG, Senior Project Manager for Tetra Tech, commented that the proposed rule changes are reasonable and agrees that the changes should be made.

RESPONSE: The board would like to thank Mr. Bogle for his comment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2145—Missouri Board of Geologist Registration
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Geologist Registration under section 256.462.3, RSMo 2000, and section 256.468.10, RSMo Supp. 2013, the board amends a rule as follows:

20 CSR 2145-2.080 Renewal of License is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 1, 2013 (38 MoReg 1120–1121). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment in response to the proposed amendment.

COMMENT: Frank Bogle, PG, CPG, Senior Project Manager for Tetra Tech, commented that the proposed rule changes are reasonable and agrees that the changes should be made.

RESPONSE: The board would like to thank Mr. Bogle for his comment.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2205—Missouri Board of Occupational Therapy
Chapter 3—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Occupational Therapy under section 324.056, RSMo 2000, and sections 43.543, 324.050, 324.065, 324.068, 324.077, and 324.086, RSMo Supp. 2013, the board amends a rule as follows:

20 CSR 2205-3.030 Application for Limited Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1303). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under sections 338.250 and 338.280, RSMo 2000, and sections 338.140.1 and 338.210.4, RSMo Supp. 2013, the board adopts a rule as follows:

20 CSR 2220-2.950 Automated Filling Systems is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 1, 2013 (38 MoReg 1237–1238). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under section 337.030, RSMo Supp. 2013, and section 337.050, RSMo 2000, the board amends a rule as follows:

20 CSR 2235-1.020 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2013 (38 MoReg 1175–1178). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received six (6) comments in response to the proposed amendment.

COMMENTS #1 AND #2: Gregory A. Bayer, Ph.D., CEO of Brain Resource, Inc. and Dan Claiborn, Ph.D., Forensic Pathology Associates voiced their objection to the new fingerprint background check requirement.

RESPONSE: The committee appreciates their comments, however, the committee believes that the requirement is within the charge and mission of the committee which is the protection of the public. Therefore, the committee chose not to make any changes to the proposed amendment as a result of these comments.

COMMENTS #3–6: Amy Bertelson, Ph.D., Director, Psychological Service Center, David Foster, M.S., Department of Public Safety, J. Edd Bucklew, Ph.D., Team Leader, Psychologist, BFC PRSM, and Kat Bowie, Psy.D., The Struan Center, LLC, all expressed their support for the proposed amendments.

RESPONSE: The committee thanks them for their comments.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under sections 337.020 and 337.050.9, RSMo 2000, the board amends a rule as follows:

**20 CSR 2235-1.025 Application for Provisional Licensure
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2013 (38 MoReg 1179). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received six (6) comments in response to the proposed amendment.

COMMENTS #1 AND #2: Gregory A. Bayer, Ph.D., CEO of Brain Resource, Inc. and Dan Claiborn, Ph.D., Forensic Pathology

Associates voiced their objection to the new fingerprint background check requirement.

RESPONSE: The committee appreciates their comments, however, the committee believes that the requirement is within the charge and mission of the committee which is the protection of the public. Therefore, the committee chose not to make any changes to the proposed amendment as a result of these comments.

COMMENTS #3–6: Amy Bertelson, Ph.D., Director, Psychological Service Center, David Foster, M.S., Department of Public Safety, J. Edd Bucklew, Ph.D., Team Leader, Psychologist, BFC PRSM, and Kat Bowie, Psy.D., The Struan Center, LLC, all expressed their support for the proposed amendments.

RESPONSE: The committee thanks them for their comments.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under sections 337.020 and 337.050.9, RSMo 2000, the board amends a rule as follows:

**20 CSR 2235-1.026 Application for Temporary Licensure
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2013 (38 MoReg 1179). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received six (6) comments in response to the proposed amendment.

COMMENTS #1 AND #2: Gregory A. Bayer, Ph.D., CEO of Brain Resource, Inc. and Dan Claiborn, Ph.D., Forensic Pathology Associates voiced their objection to the new fingerprint background check requirement.

RESPONSE: The committee appreciates their comments, however, the committee believes that the requirement is within the charge and mission of the committee which is the protection of the public. Therefore, the committee chose not to make any changes to the proposed amendment as a result of these comments.

COMMENTS #3–6: Amy Bertelson, Ph.D., Director, Psychological Service Center, David Foster, M.S., Department of Public Safety, J. Edd Bucklew, Ph.D., Team Leader, Psychologist, BFC PRSM, and Kat Bowie, Psy.D., The Struan Center, LLC, all expressed their support for the proposed amendments.

RESPONSE: The committee thanks them for their comments.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under sections 337.020.1 and 337.050.9, RSMo 2000, the board

rescinds a rule as follows:

20 CSR 2235-1.030 Application for Licensure is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 15, 2013 (38 MoReg 1179-1180). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received four (4) comments in response to the proposed rescission.

COMMENTS #1-4: Amy Bertelson, Ph.D., Director, Psychological Service Center, David Foster, M.S., Department of Public Safety, J. Edd Bucklew, Ph.D., Team Leader, Psychologist, BFC PRSM, and Kat Bowie, Psy.D., The Struan Center, LLC, all expressed their support for the proposed amendments.

RESPONSE: The committee thanks them for their comments.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under sections 337.020.1 and 337.050.9, RSMo 2000, the board adopts a rule as follows:

20 CSR 2235-1.030 Application for Licensure is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 15, 2013 (38 MoReg 1180-1181). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received six (6) comments in response to the proposed rule.

COMMENTS #1 AND #2: Gregory A. Bayer, Ph.D., CEO of Brain Resource, Inc. and Dan Claiborn, Ph.D., Forensic Pathology Associates voiced their objection to the new fingerprint background check requirement.

RESPONSE: The committee appreciates their comments, however, the committee believes that the requirement is within the charge and mission of the committee which is the protection of the public. Therefore, the committee chose not to make any changes to the proposed amendment as a result of these comments.

COMMENTS #3-6: Amy Bertelson, Ph.D., Director, Psychological Service Center, David Foster, M.S., Department of Public Safety, J. Edd Bucklew, Ph.D., Team Leader, Psychologist, BFC PRSM, and Kat Bowie, Psy.D., The Struan Center, LLC, all expressed their support for the proposed amendments.

RESPONSE: The committee thanks them for their comments.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2235—State Committee of Psychologists
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under sections 337.020 and 337.050.9, RSMo 2000, the board amends a rule as follows:

20 CSR 2235-2.060 Licensure by Examination is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2013 (38 MoReg 1182). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received four (4) comments in response to the proposed amendment

COMMENTS #1-4: Amy Bertelson, Ph.D., Director, Psychological Service Center, David Foster, M.S., Department of Public Safety, J. Edd Bucklew, Ph.D., Team Leader, Psychologist, BFC PRSM, and Kat Bowie, Psy.D., The Struan Center, LLC, all expressed their support for the proposed amendments.

RESPONSE: The committee thanks them for their comments.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2235—State Committee of Psychologists
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under sections 337.020 and 337.050.9, RSMo 2000, the board amends a rule as follows:

**20 CSR 2235-2.065 Licensure by Endorsement of Written EPPP
Examination Score is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2013 (38 MoReg 1182-1183). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The committee received four (4) comments in response to the proposed amendment.

COMMENTS #1-4: Amy Bertelson, Ph.D., Director, Psychological Service Center, David Foster, M.S., Department of Public Safety, J. Edd Bucklew, Ph.D., Team Leader, Psychologist, BFC PRSM, and Kat Bowie, Psy.D., The Struan Center, LLC, all expressed their support for the proposed amendments.

RESPONSE: The committee thanks them for their comments.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2245—Real Estate Appraisers
Chapter 1—Organization and Description of Commission**

ORDER OF RULEMAKING

By the authority vested in the Real Estate Appraisers Commission under sections 339.507 and 339.509, RSMo Supp. 2013, and section 339.544, RSMo 2000, the commission amends a rule as follows:

20 CSR 2245-1.010 General Organization is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1303-1304). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 3—Applications for Certification and Licensure
ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers Commission under section 339.509(8), RSMo Supp. 2013, the commission amends a rule as follows:

20 CSR 2245-3.005 Trainee Real Estate Appraiser Registration is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1304). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 3—Applications for Certification and Licensure
ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers Commission under sections 339.509, 339.515, and 339.517, RSMo Supp. 2013, the commission amends a rule as follows:

20 CSR 2245-3.010 Applications for Certification and Licensure is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1304-1305). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 6—Educational Requirements
ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers Commission

under section 339.509(3) and (4), RSMo Supp. 2013, the commission amends a rule as follows:

20 CSR 2245-6.040 Case Study Courses is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1305). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 8—Continuing Education
ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers Commission under section 339.509, RSMo Supp. 2013, and section 339.530, RSMo 2000, the commission amends a rule as follows:

20 CSR 2245-8.010 Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1305). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2245—Real Estate Appraisers
Chapter 8—Continuing Education
ORDER OF RULEMAKING**

By the authority vested in the Real Estate Appraisers Commission under section 339.509, RSMo Supp. 2013, and section 339.530, RSMo 2000, the commission amends a rule as follows:

20 CSR 2245-8.030 Instructor Approval is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2013 (38 MoReg 1306). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

Schedule of Compensation as Required by Section 105.005, RSMo

<u>Office</u>	<u>RSMo Citation</u>	<u>Statutory Salary FY 2013</u>	<u>Statutory Salary FY 2014</u>
<u>Elected Officials</u>			
Governor	26.010	\$133,821	\$133,821
Lt. Governor	26.010	86,484	86,484
Attorney General	27.010	116,437	116,437
Secretary of State	28.010	107,746	107,746
State Treasurer	30.010	107,746	107,746
State Auditor	29.010	107,746	107,746
<u>General Assembly</u>			
Senator	21.140	35,915	35,915
Representative	21.140	35,915	35,915
Speaker of House	21.140	38,415	38,415
President Pro Tem of Senate	21.140	38,415	38,415
Speaker Pro Tem of the House	21.140	37,415	37,415
Majority Floor Leader of House	21.140	37,415	37,415
Majority Floor Leader of Senate	21.140	37,415	37,415
Minority Floor Leader of House	21.140	37,415	37,415
Minority Floor Leader of Senate	21.140	37,415	37,415
<u>State Tax Commissioners</u>	138.230	105,070	105,320 **
<u>Administrative Hearing Commissioners</u>	621.015	102,430	102,680 **
<u>Labor and Industrial Relations</u>			
<u>Commissioners</u>	286.005	105,070	105,320 **
<u>Division of Workers' Compensation</u>			
Chief Legal Counsel *	287.615	95,486	95,486
Administrative Law Judge *	287.615	105,172	105,172
Administrative Law Judge in Charge *	287.615	110,172	110,172
Director, Division of Workers' Compensation	287.615	112,172	112,422 **
<u>Public Service Commissioners</u>	386.150	105,070	105,320 **

	<u>RSMo Citation</u>	<u>Executive Level FY 2012</u>	<u>Executive Level FY 2014</u>
<u>Statutory Department Directors</u>	105.950		
Administration, Agriculture, Corrections, Economic Development, Labor and Industrial Relations, Natural Resources, Public Safety, Revenue, and Social Services		I	I
<u>Probation and Parole</u>	217.665		
Chairman		III	III
Board Members		IV	IV

* Division of Workers' Compensation salaries are tied to those of Associate Circuit Judges.

** The 2014 general salary adjustment equates to \$500 for calendar year 2014. The increase for Fiscal Year 2014 is half this amount – a \$250 increase for each position from January 1 through June 30, 2014.

Schedule of Compensation as Required by Section 476.405, RSMo

	<u>RSMo Citation</u>	<u>Highest Salary FY 2013</u>	<u>Highest Salary FY 2014</u>
<u>Supreme Court</u>			
Chief Justice	477.130	\$154,215	\$154,215
Judges	477.130	147,591	147,591
<u>Court of Appeals</u>			
Judges	477.130	134,685	134,685
<u>Circuit Court</u>			
Circuit Court Judges	478.013	127,020	127,020
Associate Circuit Judges	478.018	116,858	116,858
<u>Juvenile Officers</u>	211.381		
Juvenile Officer		47,124	47,374 **
Chief Deputy Juvenile Officer		40,968	41,218 **
Deputy Juvenile Officer Class 1		36,504	36,754 **
Deputy Juvenile Officer Class 2		33,240	33,490 **
Deputy Juvenile Officer Class 3		30,312	30,562 **
<u>Court Reporters</u>	485.060	56,112	56,362 **
<u>Probate Commissioner *</u>	478.266	127,020	127,020
	& 478.267		
Deputy Probate Commissioner *	478.266	116,858	116,858
<u>Family Court Commissioner *</u>	211.023	116,858	116,858
	& 487.020		
<u>Circuit Clerk</u>			
1st Class Counties	483.083	69,240	69,490 **
St. Louis City	483.083	111,953	112,203 **
Jackson, Jasper & Cape Girardeau	483.083	73,413	73,663 **
2nd & 4th Class Counties	483.083	62,400	62,650 **
3rd Class Counties	483.083	54,588	54,838 **
Marion-Hannibal & Palmyra	483.083	61,428	61,678 **
Randolph & Lewis	483.083	59,664	59,914 **

* Salaries are tied to those of Circuit and Associate Circuit Judges.

** The 2014 general salary adjustment equates to \$500 for calendar year 2014. The increase for Fiscal Year 2014 is half this amount – a \$250 increase for each position from January 1 through June 30, 2014.

**Missouri Executive Pay Plan
Fiscal Year 2014**

Executive Level	Minimum *	Maximum *
I	\$85,378	\$124,222
II	\$78,262	\$113,674
III	\$71,794	\$104,110
IV	\$67,234	\$95,290
V	\$54,610	\$76,534

*FY2014 salary adjustments are effective January 1, 2014.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 60—Missouri Health Facilities Review
Committee
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. A decision is tentatively scheduled for December 24, 2013. These applications are available for public inspection at the address shown below:

Date Filed

Project Number: Project Name
City (County)
Cost, Description

11/08/13

#4990 RT: Benton House of Shoal Creek
Kansas City (Clay County)
\$1,410,000, Renovate/Modernize 80-bed ALF

#4991 RT: Benton House of Lee's Summit
Lee's Summit (Jackson County)
\$1,460,000, Renovate/Modernize 80-bed ALF

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by December 9, 2013. All written requests and comments should be sent to—

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
3418 Knipp Drive, Suite F
PO Box 570
Jefferson City, MO 65102


For additional information contact
Karla Houchins, (573) 751-6403.

ADDITION TO STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to David E. Mollohan, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. David E Mollohan including M & D Excavating or (3) to any other simulation of Mr. David E Mollohan or of M & D Excavating for a period of one year, or until January 10, 2014.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
David E. Mollohan d/b/a M & D Excavating Case No. 11WR-CR00453 Wright County Cir. Ct.		1448 Kaylor Road Mountain Grove, MO 65711	1/10/2013	1/10/2013-1/10/2014

Dated this 28th day of January, 2013.


Robert A. Bedell, Acting Division Director

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST RAHN WOOD WORKS, LLC

On October 3, 2013, Rahn Wood Works, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. The effective date of said Notice was October 3, 2013.

Rahn Wood Works, LLC, hereby requests that all persons and organizations with claims against it present them immediately by letter to: Rahn Wood Works, LLC, c/o Gregory E. Robinson, P.C., 1422 Elbridge Payne, Suite 170, Chesterfield, Missouri 63017.

All claims must include: (i) the name, address, and telephone number of the claimant; (ii) the amount claimed; (iii) the basis for the claim; (iv) the date(s) on which the event(s) on which the claim is based occurred; and (v) any documentation in support of the claim.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST GATEWAY TO BRANSON, L.L.C.

On October 17, 2013, GATEWAY TO BRANSON, L.L.C., a Missouri limited liability company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Frank C. Carnahan, Carnahan, Evans, Cantwell & Brown, P.C., 2805 S. Ingram Mill, Springfield, Missouri 65804, a written summary of any claims against Company, including: 1) claimant's name, address and telephone number; 2) amount of claim; 3) date(s) claim accrued (or will accrue); 4) brief description of the nature of the debt or the basis for the claim; and 5) if the claim is secured, and if so, the collateral used as security.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the last of filing or publication of this Notice.

NOTICE TO THE UNKNOWN CREDITORS OF EV INSTRUMENTS, LLC

Notice is hereby given that EV Instruments, LLC has filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State on October 10, 2013. If you have a claim against said limited liability company you must mail your statement of claim to: Denise Moser, 2604 N.E. Industrial Drive, Unit #230, North Kansas City, Missouri 64117. This statement of claim must include the amount of the claim, the basis for the claim, present amount of the claim and documentation of the claim. A claim against the limited liability company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this Notice.

EV INSTRUMENTS, LLC

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST BT REALTY LLC

On October 25, 2013, BT Realty LLC, a Missouri Limited Liability Company ("Company"), filed its Notice Of Winding Up with the Missouri Secretary of State, effective on the filing date.

All persons and organizations must submit to Company, c/o Mark E. Dunn, Dunn & Miller, PC, Attorneys for BT Realty LLC, 13321 N. Outer Forty Road, Town & Country, Missouri 63017, a written summary of any claims against Company, including: (1) claimant's name, address and telephone number; (2) amount of claim; (3) date(s) claim accrued (or will accrue); (4) brief description of the nature of the claim; (5) if the claim is secured, and if so, the collateral used as security; and (6) all necessary documentation supporting this claim.

Because of the dissolution, any claims against Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years of the last of filing or publication of this Notice.

NOTICE OF DISSOLUTION OF CORPORATION

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST CLEARWATER CONSTRUCTION, INC., a Missouri corporation.

On October 30, 2013, Clearwater Construction, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on October 30, 2013.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation at 2709 Sharon Drive, Ozark, MO 65721. All claims must include the name and address of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim was based occurred, and whether the corporation has been previously notified of the claim, and, if so, when.

All claims against will be barred unless the proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

NOTICE OF DISSOLUTION OF CORPORATION

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST MID-STATE LAND & DEVELOPMENT COMPANY, INC., a Missouri corporation.

On *, 2013, Mid-State Land & Development Company, Inc., a Missouri corporation, filed its Articles of Dissolution with the Missouri Secretary of State. Dissolution was effective on *, 2013.

Said corporation requests that all persons and organizations who have claims against it present them immediately by letter to the corporation at 2709 Sharon Drive, Ozark, MO 65721. All claims must include the name and address of the claimant, the amount claimed, the basis for the claim, the date(s) on which the event(s) on which the claim was based occurred, and whether the corporation has been previously notified of the claim, and, if so, when.

All claims against will be barred unless the proceeding to enforce the claim is commenced within two (2) years after the publication of this notice.

Notice of Winding Up of Limited Liability Company**To: All Creditors and Claimants of Premion Finance Co., LLC**

On October 24, 2013, Premion Finance Co., LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for Limited Liability Company and its Articles of Termination with the Missouri Secretary of State, effective on the filing date.

In accordance with Section 347.141 R.S.Mo., all persons and organizations who have claims against the Company are requested to present them immediately by letter to Premion Finance Co., LLC, c/o Swanson Midgley, LLC, 4600 Madison Avenue, Suite 1100, Kansas City, MO 64112.

Each claim must include: (1) the name, address and telephone number of the claimant; (2) the amount claimed; (3) the date the claim arose; (4) the basis for the claim; and (5) documentation supporting the claim.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
MIDWEST HOTEL & LODGING, LLC**

On October 29, 2013, Midwest Hotel & Lodging, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to William L. Tillman, 2709 Sharon Drive, Ozark, MO 65721. All claims must include the name, address and telephone number of the claimant, the amount of the claim, the basis for the claim, the date on which the claim arose, and documentation for the claim.

NOTICE: Because of the dissolution of, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

Notice of Winding Up of Limited Liability Company

To: All Creditors and Claimants of Westrope Health, L.L.C.

On October 24, 2013, Westrope Health, L.L.C., a Missouri limited liability company (the "Company"), filed its Notice of Winding Up for Limited Liability Company and its Articles of Termination with the Missouri Secretary of State, effective on the filing date.

In accordance with Section 347.141 R.S.Mo., all persons and organizations who have claims against the Company are requested to present them immediately by letter to Westrope Health, L.L.C., c/o Swanson Midgley, LLC, 4600 Madison Avenue, Suite 1100, Kansas City, MO 64112.

Each claim must include: (1) the name, address and telephone number of the claimant; (2) the amount claimed; (3) the date the claim arose; (4) the basis for the claim; and (5) documentation supporting the claim.

A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication date of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
MIDWEST BOAT CHARTERS, LLC**

On October 29, 2013, Midwest Boat Charters, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up with the Missouri Secretary of State, effective on the filing date.

Said company requests that all persons and organizations who have claims against it present them immediately by letter to William L. Tillman, 2709 Sharon Drive, Ozark, MO 65721. All claims must include the name, address and telephone number of the claimant, the amount of the claim, the basis for the claim, the date on which the claim arose, and documentation for the claim.

NOTICE: Because of the dissolution of, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—37 (2012) and 38 (2013). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				37 MoReg 1859 This Issue
1 CSR 10-7.010	Commissioner of Administration		38 MoReg 1738		
1 CSR 20-5.015	Personnel Advisory Board and Division of Personnel		38 MoReg 1608		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		38 MoReg 1608		
	DEPARTMENT OF AGRICULTURE				
2 CSR 30-2.020	Animal Health		38 MoReg 1360		
2 CSR 80-2.050	State Milk Board		38 MoReg 1363		
2 CSR 80-5.010	State Milk Board		38 MoReg 1363		
2 CSR 90-10	Weights and Measures				38 MoReg 1241
	DEPARTMENT OF CONSERVATION				
3 CSR 10-3.010	Conservation Commission		38 MoReg 1742		
3 CSR 10-4.130	Conservation Commission		38 MoReg 1742		
3 CSR 10-5.430	Conservation Commission		38 MoReg 1742		
3 CSR 10-6.510	Conservation Commission		38 MoReg 1742		
3 CSR 10-6.545	Conservation Commission		38 MoReg 1743		
3 CSR 10-6.550	Conservation Commission		38 MoReg 1743		
3 CSR 10-7.410	Conservation Commission		38 MoReg 1744		
3 CSR 10-7.431	Conservation Commission		38 MoReg 1744		
3 CSR 10-7.433	Conservation Commission		38 MoReg 1744		
3 CSR 10-7.440	Conservation Commission		N.A.	38 MoReg 1561	
3 CSR 10-9.105	Conservation Commission		38 MoReg 1745		
3 CSR 10-9.110	Conservation Commission		38 MoReg 1747		
3 CSR 10-9.442	Conservation Commission		38 MoReg 1750		
3 CSR 10-10.705	Conservation Commission		38 MoReg 1750		
3 CSR 10-10.744	Conservation Commission		38 MoReg 1752		
3 CSR 10-11.130	Conservation Commission		38 MoReg 1752		
3 CSR 10-11.180	Conservation Commission		38 MoReg 1752		
3 CSR 10-11.184	Conservation Commission		38 MoReg 1753		
3 CSR 10-11.185	Conservation Commission		38 MoReg 1753		
3 CSR 10-11.205	Conservation Commission		38 MoReg 1754		
3 CSR 10-12.110	Conservation Commission		38 MoReg 1754		
3 CSR 10-12.115	Conservation Commission		38 MoReg 1755		
3 CSR 10-12.125	Conservation Commission		38 MoReg 1756		
3 CSR 10-12.135	Conservation Commission		38 MoReg 1756		
3 CSR 10-12.140	Conservation Commission		38 MoReg 1757		
3 CSR 10-12.145	Conservation Commission		38 MoReg 1757		
	DEPARTMENT OF ECONOMIC DEVELOPMENT				
4 CSR 85-8.010	Division of Business and Community Services	This Issue			
4 CSR 85-8.020	Division of Business and Community Services	This Issue			
4 CSR 85-8.030	Division of Business and Community Services	This Issue			
4 CSR 85-9.010	Division of Business and Community Services	This Issue			
4 CSR 85-9.020	Division of Business and Community Services	This Issue			
4 CSR 85-9.030	Division of Business and Community Services	This Issue			
4 CSR 85-9.040	Division of Business and Community Services	This Issue			
4 CSR 85-9.050	Division of Business and Community Services	This Issue			
4 CSR 240-3.570	Public Service Commission		38 MoReg 1461R		
4 CSR 240-13.010	Public Service Commission		38 MoReg 1363		
4 CSR 240-13.015	Public Service Commission		38 MoReg 1364		
4 CSR 240-13.020	Public Service Commission		38 MoReg 1365		
4 CSR 240-13.025	Public Service Commission		38 MoReg 1366		
4 CSR 240-13.030	Public Service Commission		38 MoReg 1367		
4 CSR 240-13.035	Public Service Commission		38 MoReg 1368		
4 CSR 240-13.040	Public Service Commission		38 MoReg 1369		
4 CSR 240-13.045	Public Service Commission		38 MoReg 1370		
4 CSR 240-13.050	Public Service Commission		38 MoReg 1371		
4 CSR 240-13.055	Public Service Commission		38 MoReg 1375		
4 CSR 240-13.060	Public Service Commission		38 MoReg 1375		
4 CSR 240-13.070	Public Service Commission		38 MoReg 1376		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-18.010	Public Service Commission		38 MoReg 1377		
4 CSR 240-31.010	Public Service Commission		38 MoReg 1461		
4 CSR 240-31.020	Public Service Commission		38 MoReg 1463		
4 CSR 240-31.030	Public Service Commission		38 MoReg 1464		
4 CSR 240-31.040	Public Service Commission		38 MoReg 1465R		
4 CSR 240-31.050	Public Service Commission		38 MoReg 1465R		
4 CSR 240-31.060	Public Service Commission		38 MoReg 1466		
4 CSR 240-31.065	Public Service Commission		38 MoReg 1467R		
4 CSR 240-31.070	Public Service Commission		38 MoReg 1468R		
4 CSR 240-31.080	Public Service Commission		38 MoReg 1468R		
4 CSR 240-31.090	Public Service Commission		38 MoReg 1468		
4 CSR 240-31.100	Public Service Commission		38 MoReg 1469R		
4 CSR 240-31.110	Public Service Commission		38 MoReg 1469		
4 CSR 240-31.120	Public Service Commission		38 MoReg 1470		
4 CSR 240-31.130	Public Service Commission		38 MoReg 1472		
4 CSR 240-50.050	Public Service Commission		38 MoReg 1477		
4 CSR 240-120.065	Public Service Commission		38 MoReg 1480		
4 CSR 240-120.085	Public Service Commission		38 MoReg 1481		
4 CSR 240-120.130	Public Service Commission		38 MoReg 1481		
4 CSR 240-123.065	Public Service Commission		38 MoReg 1482		
4 CSR 240-123.070	Public Service Commission		38 MoReg 1483		
4 CSR 240-123.095	Public Service Commission		38 MoReg 1483		
4 CSR 240-125.010	Public Service Commission		38 MoReg 1484		
4 CSR 240-125.040	Public Service Commission		38 MoReg 1484		
4 CSR 240-125.070	Public Service Commission		38 MoReg 1485		
4 CSR 265-2.068	Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-10.035)		38 MoReg 887	38 MoReg 1892	
4 CSR 265-2.180	Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-10.140)		38 MoReg 896	38 MoReg 1894	
4 CSR 265-2.190	Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-10.090)		38 MoReg 894	38 MoReg 1893	
4 CSR 265-6.010	Division of Motor Carrier and Railroad Safety (Changed to 7 CSR 265-10.055)		38 MoReg 892	38 MoReg 1892	
4 CSR 265-12.020	Division of Motor Carrier and Railroad Safety		38 MoReg 881R	38 MoReg 1890R	
4 CSR 265-12.030	Division of Motor Carrier and Railroad Safety		38 MoReg 882R	38 MoReg 1890R	
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 10-1.010	Commissioner of Education		38 MoReg 1527		
5 CSR 10-2.010	Commissioner of Education		This Issue		
5 CSR 10-2.020	Commissioner of Education		This Issue		
5 CSR 10-2.030	Commissioner of Education		This Issue		
5 CSR 20-100.170	Division of Learning Services		This IssueR		
5 CSR 20-100.255	Division of Learning Services		37 MoReg 1571	38 MoReg 520F	
5 CSR 20-100.265	Division of Learning Services		38 MoReg 1758		
5 CSR 20-200.290	Division of Learning Services		38 MoReg 1762		
5 CSR 20-200.300	Division of Learning Services		38 MoReg 1762		
5 CSR 20-300.160	Division of Learning Services		38 MoReg 1527		
5 CSR 20-300.170	Division of Learning Services		38 MoReg 1528		
5 CSR 20-300.180	Division of Learning Services		38 MoReg 1531		
5 CSR 20-300.190	Division of Learning Services		38 MoReg 1531		
5 CSR 20-300.200	Division of Learning Services		38 MoReg 1531		
5 CSR 20-400.375	Division of Learning Services		38 MoReg 825		
			This Issue		
5 CSR 20-400.500	Division of Learning Services		This Issue		
5 CSR 20-400.510	Division of Learning Services		This Issue		
5 CSR 20-400.520	Division of Learning Services		This Issue		
5 CSR 20-400.530	Division of Learning Services		This Issue		
5 CSR 20-400.540	Division of Learning Services		This Issue		
5 CSR 20-400.550	Division of Learning Services		This Issue		
5 CSR 20-400.560	Division of Learning Services		This Issue		
5 CSR 20-400.570	Division of Learning Services		This Issue		
5 CSR 20-400.580	Division of Learning Services		This Issue		
5 CSR 20-400.590	Division of Learning Services		This Issue		
5 CSR 20-400.600	Division of Learning Services		This Issue		
5 CSR 20-400.610	Division of Learning Services		This Issue		
5 CSR 20-400.620	Division of Learning Services		This Issue		
5 CSR 20-400.630	Division of Learning Services		This Issue		
5 CSR 20-400.640	Division of Learning Services		This Issue		
5 CSR 20-400.650	Division of Learning Services		This Issue		
5 CSR 20-400.660	Division of Learning Services		This Issue		
5 CSR 20-400.670	Division of Learning Services		This Issue		
5 CSR 20-400.680	Division of Learning Services		This Issue		
5 CSR 20-400.690	Division of Learning Services		This Issue		
5 CSR 20-400.700	Division of Learning Services		This Issue		
5 CSR 20-500.120	Division of Learning Services		38 MoReg 1764		
5 CSR 30-640.100	Division of Financial and Administrative Services		38 MoReg 1532R		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-6.010	Missouri Highways and Transportation Commission		38 MoReg 1860		
7 CSR 10-6.015	Missouri Highways and Transportation Commission		38 MoReg 1861		
7 CSR 10-6.020	Missouri Highways and Transportation Commission		38 MoReg 1862		
7 CSR 10-6.030	Missouri Highways and Transportation Commission		38 MoReg 1863		
7 CSR 10-6.040	Missouri Highways and Transportation Commission		38 MoReg 1864		
7 CSR 10-6.050	Missouri Highways and Transportation Commission		38 MoReg 1870		
7 CSR 10-6.060	Missouri Highways and Transportation Commission		38 MoReg 1870		
7 CSR 10-6.070	Missouri Highways and Transportation Commission		38 MoReg 1871		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
7 CSR 10-6.080	Missouri Highways and Transportation Commission		38 MoReg 1873		
7 CSR 10-6.085	Missouri Highways and Transportation Commission		38 MoReg 1874		
7 CSR 10-6.090	Missouri Highways and Transportation Commission		38 MoReg 1876		
7 CSR 60-2.010	Traffic and Highway Safety Division	38 MoReg 1591	38 MoReg 1610		
7 CSR 60-2.020	Traffic and Highway Safety Division	38 MoReg 1593	38 MoReg 1611		
7 CSR 60-2.030	Traffic and Highway Safety Division	38 MoReg 1595	38 MoReg 1612		
7 CSR 60-2.040	Traffic and Highway Safety Division	38 MoReg 1597	38 MoReg 1613		
7 CSR 60-2.050	Traffic and Highway Safety Division	38 MoReg 1600	38 MoReg 1615		
7 CSR 60-2.060	Traffic and Highway Safety Division		38 MoReg 1616		
7 CSR 265-10.010	Motor Carrier and Railroad Safety		38 MoReg 882	38 MoReg 1890	
7 CSR 265-10.015	Motor Carrier and Railroad Safety		38 MoReg 883R	38 MoReg 1890R	
			38 MoReg 883	38 MoReg 1891	
7 CSR 265-10.020	Motor Carrier and Railroad Safety		38 MoReg 884R	38 MoReg 1891R	
			38 MoReg 884	38 MoReg 1891	
7 CSR 265-10.025	Motor Carrier and Railroad Safety		38 MoReg 885R	38 MoReg 1891R	
			38 MoReg 885	38 MoReg 1891	
7 CSR 265-10.030	Motor Carrier and Railroad Safety		38 MoReg 886R	38 MoReg 1891R	
			38 MoReg 886	38 MoReg 1892	
7 CSR 265-10.035	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-2.068)		38 MoReg 887	38 MoReg 1892	
7 CSR 265-10.040	Motor Carrier and Railroad Safety		38 MoReg 888R	38 MoReg 1892R	
			38 MoReg 888	38 MoReg 1892	
7 CSR 265-10.045	Motor Carrier and Railroad Safety		38 MoReg 889	38 MoReg 1892	
7 CSR 265-10.050	Motor Carrier and Railroad Safety		38 MoReg 889	38 MoReg 1892	
7 CSR 265-10.055	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-6.010)		38 MoReg 892	38 MoReg 1892	
7 CSR 265-10.060	Motor Carrier and Railroad Safety		38 MoReg 893R	38 MoReg 1893R	
7 CSR 265-10.070	Motor Carrier and Railroad Safety		38 MoReg 893R	38 MoReg 1893R	
7 CSR 265-10.080	Motor Carrier and Railroad Safety		38 MoReg 893R	38 MoReg 1893R	
7 CSR 265-10.090	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-2.190)		38 MoReg 894	38 MoReg 1893	
7 CSR 265-10.100	Motor Carrier and Railroad Safety		38 MoReg 894	38 MoReg 1893	
7 CSR 265-10.110	Motor Carrier and Railroad Safety		38 MoReg 895R	38 MoReg 1893R	
			38 MoReg 895	38 MoReg 1894	
7 CSR 265-10.120	Motor Carrier and Railroad Safety		38 MoReg 896R	38 MoReg 1894R	
7 CSR 265-10.130	Motor Carrier and Railroad Safety		38 MoReg 896	38 MoReg 1894	
7 CSR 265-10.140	Motor Carrier and Railroad Safety (Changed from 4 CSR 265-2.180)		38 MoReg 896	38 MoReg 1894	
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 10-3.085	Division of Employment Security		38 MoReg 1876		
8 CSR 10-3.150	Division of Employment Security	38 MoReg 1515	38 MoReg 1532		
8 CSR 10-4.020	Division of Employment Security		38 MoReg 1533		
8 CSR 10-4.210	Division of Employment Security	38 MoReg 1516	38 MoReg 1533		
8 CSR 10-5.010	Division of Employment Security		38 MoReg 1100	38 MoReg 1667	
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-3.010	Air Conservation Commission		38 MoReg 1100R	This IssueR	
10 CSR 10-5.240	Air Conservation Commission		38 MoReg 1877R		
10 CSR 10-6.020	Air Conservation Commission		38 MoReg 1265		
10 CSR 10-6.040	Air Conservation Commission		38 MoReg 689	38 MoReg 1562	
10 CSR 10-6.070	Air Conservation Commission		38 MoReg 898	38 MoReg 1827	
10 CSR 10-6.075	Air Conservation Commission		38 MoReg 899	38 MoReg 1827	
10 CSR 10-6.080	Air Conservation Commission		38 MoReg 902	38 MoReg 1827	
10 CSR 10-6.130	Air Conservation Commission		38 MoReg 903	38 MoReg 1827	
10 CSR 10-6.161	Air Conservation Commission		38 MoReg 1297		
10 CSR 10-6.200	Air Conservation Commission		38 MoReg 1382		
			This Issue		
10 CSR 10-6.310	Air Conservation Commission				38 MoReg 1669
10 CSR 20-6.011	Clean Water Commission		38 MoReg 1534		
10 CSR 20-7.015	Clean Water Commission		38 MoReg 913		
10 CSR 20-7.031	Clean Water Commission		38 MoReg 939		
10 CSR 23-5.010	Division of Geology and Land Survey		38 MoReg 1101	38 MoReg 1894	
10 CSR 23-5.020	Division of Geology and Land Survey		38 MoReg 1101	38 MoReg 1895	
10 CSR 23-5.030	Division of Geology and Land Survey		38 MoReg 1102	38 MoReg 1895	
10 CSR 23-5.040	Division of Geology and Land Survey		38 MoReg 1102	38 MoReg 1895	
10 CSR 23-5.050	Division of Geology and Land Survey		38 MoReg 1103	38 MoReg 1895	
10 CSR 23-5.060	Division of Geology and Land Survey		38 MoReg 1105	38 MoReg 1898	
10 CSR 23-5.070	Division of Geology and Land Survey		38 MoReg 1105	38 MoReg 1898	
10 CSR 23-5.080	Division of Geology and Land Survey		38 MoReg 1106	38 MoReg 1898	
10 CSR 26-2.062	Petroleum and Hazardous Substance Storage Tanks		38 MoReg 1160		
10 CSR 26-2.078	Petroleum and Hazardous Substance Storage Tanks		38 MoReg 1161		
10 CSR 26-2.082	Petroleum and Hazardous Substance Storage Tanks		38 MoReg 1162		
10 CSR 40-6.030	Land Reclamation Commission		38 MoReg 1298	This Issue	
10 CSR 40-6.070	Land Reclamation Commission		38 MoReg 1299	This Issue	
10 CSR 40-6.100	Land Reclamation Commission		38 MoReg 1300	This Issue	
10 CSR 40-8.030	Land Reclamation Commission		38 MoReg 1301	This Issue	
10 CSR 40-8.040	Land Reclamation Commission		38 MoReg 1301	This Issue	
10 CSR 140-2	Division of Energy				38 MoReg 432 38 MoReg 1431
10 CSR 140-5.010	Division of Energy		38 MoReg 1106R	38 MoReg 1667R	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 30-14.010	Office of the Director	38 MoReg 243	38 MoReg 249 38 MoReg 1486		
11 CSR 30-15.010	Office of the Director	38 MoReg 1351	38 MoReg 1391		
11 CSR 45-5.237	Missouri Gaming Commission		This Issue		
11 CSR 45-8.010	Missouri Gaming Commission		38 MoReg 691	38 MoReg 1562	
11 CSR 45-8.060	Missouri Gaming Commission		38 MoReg 691	38 MoReg 1562	
11 CSR 45-8.090	Missouri Gaming Commission		38 MoReg 692	38 MoReg 1563	
11 CSR 45-8.100	Missouri Gaming Commission		38 MoReg 692	38 MoReg 1563	
11 CSR 45-8.150	Missouri Gaming Commission		38 MoReg 692	38 MoReg 1563	
11 CSR 45-9.106	Missouri Gaming Commission		38 MoReg 828	38 MoReg 1828	
11 CSR 45-9.107	Missouri Gaming Commission		38 MoReg 693	38 MoReg 1563	
11 CSR 45-9.110	Missouri Gaming Commission		38 MoReg 828	38 MoReg 1829	
11 CSR 45-9.111	Missouri Gaming Commission		This Issue		
11 CSR 45-9.118	Missouri Gaming Commission		38 MoReg 828	38 MoReg 1832	
11 CSR 45-9.119	Missouri Gaming Commission		This Issue		
11 CSR 75-17.010	Peace Officer Standards and Training Program	38 MoReg 1517	38 MoReg 1549		
11 CSR 75-17.020	Peace Officer Standards and Training Program	38 MoReg 1518	38 MoReg 1549		
11 CSR 75-17.030	Peace Officer Standards and Training Program	38 MoReg 1518	38 MoReg 1549		
11 CSR 75-17.040	Peace Officer Standards and Training Program	38 MoReg 1519	38 MoReg 1550		
11 CSR 85-1.010	Veterans Affairs		38 MoReg 1163	38 MoReg 1832	
11 CSR 85-1.015	Veterans Affairs		38 MoReg 1163	38 MoReg 1832	
11 CSR 85-1.020	Veterans Affairs		38 MoReg 1164	38 MoReg 1832	
11 CSR 85-1.030	Veterans Affairs		38 MoReg 1164	38 MoReg 1833	
11 CSR 85-1.040	Veterans Affairs		38 MoReg 1165	38 MoReg 1833	
11 CSR 85-1.050	Veterans Affairs		38 MoReg 1165	38 MoReg 1833	
DEPARTMENT OF REVENUE					
12 CSR 10-2.052	Director of Revenue		38 MoReg 1764		
12 CSR 10-23.500	Director of Revenue	38 MoReg 1520	38 MoReg 1550		
12 CSR 10-41.010	Director of Revenue	This Issue	This Issue		
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 35-32.040	Children's Division		38 MoReg 829	38 MoReg 1568	
13 CSR 35-36.010	Children's Division		This Issue		
13 CSR 40-2.010	Family Support Division		38 MoReg 1393		
13 CSR 40-7.010	Family Support Division		38 MoReg 1394		
13 CSR 40-7.015	Family Support Division		38 MoReg 1395		
13 CSR 40-7.020	Family Support Division		38 MoReg 1396		
13 CSR 40-7.030	Family Support Division		38 MoReg 1396		
13 CSR 40-7.040	Family Support Division		38 MoReg 1397		
13 CSR 40-24.080	Family Support Division		This Issue		
13 CSR 40-24.090	Family Support Division		This Issue		
13 CSR 40-24.100	Family Support Division		This Issue		
13 CSR 40-100.040	Family Support Division	38 MoReg 1601	38 MoReg 1617		
13 CSR 70-3.030	MO HealthNet Division		38 MoReg 1617		
13 CSR 70-3.200	MO HealthNet Division		38 MoReg 1877		
13 CSR 70-4.120	MO HealthNet Division		38 MoReg 1765		
13 CSR 70-10.015	MO HealthNet Division		38 MoReg 1218	This Issue	
13 CSR 70-10.016	MO HealthNet Division		This Issue		
13 CSR 70-10.160	MO HealthNet Division	38 MoReg 1520	38 MoReg 1221	This Issue	
13 CSR 70-15.010	MO HealthNet Division	38 MoReg 1215	38 MoReg 1222	This Issue	
13 CSR 70-15.030	MO HealthNet Division		38 MoReg 1618		
13 CSR 70-15.110	MO HealthNet Division	38 MoReg 1216	38 MoReg 1226	This Issue	
13 CSR 70-15.160	MO HealthNet Division		38 MoReg 1232	This Issue	
13 CSR 70-20.031	MO HealthNet Division		38 MoReg 1619		
13 CSR 70-20.032	MO HealthNet Division		38 MoReg 1620		
13 CSR 70-20.050	MO HealthNet Division		38 MoReg 1620		
13 CSR 70-20.060	MO HealthNet Division		38 MoReg 1768		
13 CSR 70-20.071	MO HealthNet Division		38 MoReg 1769		
13 CSR 70-20.200	MO HealthNet Division		38 MoReg 1769		
13 CSR 70-20.250	MO HealthNet Division		38 MoReg 1621		
13 CSR 70-20.300	MO HealthNet Division		38 MoReg 1621		
13 CSR 70-20.310	MO HealthNet Division		38 MoReg 1622		
13 CSR 70-25.120	MO HealthNet Division		38 MoReg 1880		
13 CSR 70-40.010	MO HealthNet Division		38 MoReg 1882		
13 CSR 70-45.010	MO HealthNet Division		38 MoReg 1883		
13 CSR 70-50.010	MO HealthNet Division		38 MoReg 1770		
13 CSR 70-60.010	MO HealthNet Division		38 MoReg 1776		
13 CSR 70-70.010	MO HealthNet Division		38 MoReg 1776		
13 CSR 70-98.015	MO HealthNet Division		38 MoReg 1777		
13 CSR 70-98.020	MO HealthNet Division		38 MoReg 1884		
DEPARTMENT OF CORRECTIONS					
14 CSR 80-5.010	State Board of Probation and Parole		This Issue		
14 CSR 80-5.020	State Board of Probation and Parole		This Issue		
ELECTED OFFICIALS					
15 CSR 30-15.010	Secretary of State		38 MoReg 1553		
15 CSR 30-15.020	Secretary of State		38 MoReg 1553		
15 CSR 30-15.030	Secretary of State		38 MoReg 1486		
15 CSR 30-50.010	Secretary of State		38 MoReg 835		
15 CSR 30-50.040	Secretary of State		38 MoReg 835		
15 CSR 30-52.015	Secretary of State		38 MoReg 836		
15 CSR 30-52.030	Secretary of State		38 MoReg 836		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
15 CSR 30-52.275	Secretary of State		38 MoReg 837		
15 CSR 30-54.010	Secretary of State		38 MoReg 837		
15 CSR 30-54.070	Secretary of State		38 MoReg 837		
15 CSR 30-54.150	Secretary of State		38 MoReg 838		
15 CSR 30-90.010	Secretary of State	38 MoReg 1522	38 MoReg 1554		
15 CSR 30-90.090	Secretary of State	38 MoReg 1522	38 MoReg 1554		
15 CSR 30-90.170	Secretary of State	38 MoReg 1523	38 MoReg 1555		
15 CSR 50-3.095	Treasurer		38 MoReg 1166	38 MoReg 1667	
RETIREMENT SYSTEMS					
16 CSR 10-1.040	The Public School Retirement System of Missouri		38 MoReg 1232	This Issue	
16 CSR 10-3.010	The Public School Retirement System of Missouri		38 MoReg 1233	This Issue	
16 CSR 10-4.005	The Public School Retirement System of Missouri		38 MoReg 1234	This Issue	
16 CSR 10-5.010	The Public School Retirement System of Missouri		38 MoReg 1235	This Issue	
16 CSR 10-6.020	The Public School Retirement System of Missouri		38 MoReg 1235	This Issue	
16 CSR 10-6.060	The Public School Retirement System of Missouri		38 MoReg 1237	This Issue	
DEPARTMENT OF HEALTH AND SENIOR SERVICES					
19 CSR 25-30.031	State Public Health Laboratory	38 MoReg 1602	38 MoReg 1623		
19 CSR 25-30.050	State Public Health Laboratory	38 MoReg 1604	38 MoReg 1625		
19 CSR 25-30.051	State Public Health Laboratory		38 MoReg 1625		
19 CSR 25-30.060	State Public Health Laboratory	38 MoReg 1604	38 MoReg 1626		
19 CSR 30-20.098	Division of Regulation and Licensure		38 MoReg 1166		
19 CSR 30-20.110	Division of Regulation and Licensure		38 MoReg 1167		
19 CSR 30-20.112	Division of Regulation and Licensure		38 MoReg 1168		
19 CSR 30-20.114	Division of Regulation and Licensure		38 MoReg 1168		
19 CSR 30-20.118	Division of Regulation and Licensure		38 MoReg 1170		
19 CSR 30-20.122	Division of Regulation and Licensure		38 MoReg 1170R		
19 CSR 30-20.124	Division of Regulation and Licensure		38 MoReg 1171		
19 CSR 30-20.142	Division of Regulation and Licensure		38 MoReg 1171		
19 CSR 60-50	Missouri Health Facilities Review Committee				38 MoReg 1569 38 MoReg 1834 This Issue
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION					
20 CSR	Applied Behavior Analysis Maximum Benefit				38 MoReg 432
20 CSR	Construction Claims Binding Arbitration Cap				38 MoReg 147
20 CSR	Sovereign Immunity Limits				38 MoReg 147
20 CSR	State Legal Expense Fund Cap				38 MoReg 147
20 CSR 200-2.100	Insurance Solvency and Company Regulation	38 MoReg 1695	38 MoReg 1778		
20 CSR 400-2.160	Life, Annuities and Health		38 MoReg 1555		
20 CSR 400-5.600	Life, Annuities and Health		38 MoReg 1885		
20 CSR 400-11.100	Life, Annuities and Health	38 MoReg 1353	38 MoReg 1397		
20 CSR 400-11.120	Life, Annuities and Health	38 MoReg 1732	38 MoReg 1816		
20 CSR 400-12.100	Life, Annuities and Health	38 MoReg 1737	38 MoReg 1826		
20 CSR 1140-30.240	Division of Finance		38 MoReg 1628		
20 CSR 2010-2.160	Missouri State Board of Accountancy	38 MoReg 1159	38 MoReg 1172	38 MoReg 1833	
20 CSR 2030-2.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		38 MoReg 1487		
20 CSR 2030-2.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		38 MoReg 1487		
20 CSR 2030-2.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		38 MoReg 1487		
20 CSR 2063-1.015	Behavior Analyst Advisory Board		38 MoReg 1106	38 MoReg 1667	
20 CSR 2063-2.005	Behavior Analyst Advisory Board		38 MoReg 1110	38 MoReg 1668	
20 CSR 2063-2.020	Behavior Analyst Advisory Board		38 MoReg 1110	38 MoReg 1668	
20 CSR 2063-6.005	Behavior Analyst Advisory Board		38 MoReg 1631		
20 CSR 2085-12.010	Board of Cosmetology and Barber Examiners		38 MoReg 1637		
20 CSR 2085-12.020	Board of Cosmetology and Barber Examiners		38 MoReg 1637		
20 CSR 2085-13.070	Board of Cosmetology and Barber Examiners		38 MoReg 1638		
20 CSR 2145-1.040	Missouri Board of Geologist Registration		38 MoReg 1114	This Issue	
20 CSR 2145-2.020	Missouri Board of Geologist Registration		38 MoReg 1116	This Issue	
20 CSR 2145-2.030	Missouri Board of Geologist Registration		38 MoReg 1116	This Issue	
20 CSR 2145-2.065	Missouri Board of Geologist Registration		38 MoReg 1117	This Issue	
20 CSR 2145-2.080	Missouri Board of Geologist Registration		38 MoReg 1120	This Issue	
20 CSR 2165-1.020	Board of Examiners for Hearing Instrument Specialists		38 MoReg 1638		
20 CSR 2165-2.030	Board of Examiners for Hearing Instrument Specialists		38 MoReg 1641		
20 CSR 2193-1.010	Interior Design Council		38 MoReg 1122	38 MoReg 1668	
20 CSR 2193-2.020	Interior Design Council		38 MoReg 1122	38 MoReg 1668	
20 CSR 2193-4.010	Interior Design Council		38 MoReg 1122	38 MoReg 1668	
20 CSR 2193-5.010	Interior Design Council		38 MoReg 1126	38 MoReg 1668	
20 CSR 2200-1.010	State Board of Nursing		38 MoReg 1641		
20 CSR 2200-4.020	State Board of Nursing		38 MoReg 1642		
20 CSR 2200-4.030	State Board of Nursing		38 MoReg 1556		
20 CSR 2205-3.030	Missouri Board of Occupational Therapy		38 MoReg 1303	This Issue	
20 CSR 2220-2.950	State Board of Pharmacy		38 MoReg 1237	This Issue	
20 CSR 2231-2.010	Division of Professional Registration		38 MoReg 1643		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 2232-1.040	Missouri State Committee of Interpreters		38 MoReg 1409		
20 CSR 2232-2.010	Missouri State Committee of Interpreters		38 MoReg 1412		
20 CSR 2232-2.020	Missouri State Committee of Interpreters		38 MoReg 1416		
20 CSR 2232-2.030	Missouri State Committee of Interpreters		38 MoReg 1420		
20 CSR 2234-1.010	Board of Private Investigator Examiners		38 MoReg 1643		
20 CSR 2234-1.020	Board of Private Investigator Examiners		38 MoReg 1643		
20 CSR 2234-1.030	Board of Private Investigator Examiners		38 MoReg 1644		
20 CSR 2234-1.040	Board of Private Investigator Examiners		38 MoReg 1644		
20 CSR 2234-1.050	Board of Private Investigator Examiners		38 MoReg 1645		
20 CSR 2234-2.010	Board of Private Investigator Examiners		38 MoReg 1649		
20 CSR 2234-2.015	Board of Private Investigator Examiners		38 MoReg 1649		
20 CSR 2234-2.020	Board of Private Investigator Examiners		38 MoReg 1654		
20 CSR 2234-2.030	Board of Private Investigator Examiners		38 MoReg 1654		
20 CSR 2234-2.040	Board of Private Investigator Examiners		38 MoReg 1654		
20 CSR 2234-3.010	Board of Private Investigator Examiners		38 MoReg 1658		
20 CSR 2234-3.020	Board of Private Investigator Examiners		38 MoReg 1658		
20 CSR 2234-3.030	Board of Private Investigator Examiners		38 MoReg 1659		
20 CSR 2234-3.040	Board of Private Investigator Examiners		38 MoReg 1659		
20 CSR 2234-3.070	Board of Private Investigator Examiners		38 MoReg 1659		
20 CSR 2234-4.010	Board of Private Investigator Examiners		38 MoReg 1660R		
20 CSR 2234-4.020	Board of Private Investigator Examiners		38 MoReg 1660R		
20 CSR 2234-4.030	Board of Private Investigator Examiners		38 MoReg 1660R		
20 CSR 2234-4.040	Board of Private Investigator Examiners		38 MoReg 1660R		
20 CSR 2234-4.050	Board of Private Investigator Examiners		38 MoReg 1661R		
20 CSR 2234-6.010	Board of Private Investigator Examiners		38 MoReg 1661		
20 CSR 2234-7.010	Board of Private Investigator Examiners		38 MoReg 1665		
20 CSR 2235-1.020	State Committee of Psychologists		38 MoReg 1175	This Issue	
20 CSR 2235-1.025	State Committee of Psychologists		38 MoReg 1179	This Issue	
20 CSR 2235-1.026	State Committee of Psychologists		38 MoReg 1179	This Issue	
20 CSR 2235-1.030	State Committee of Psychologists		38 MoReg 1179R	This IssueR	
			38 MoReg 1180	This Issue	
20 CSR 2235-2.060	State Committee of Psychologists		38 MoReg 1182	This Issue	
20 CSR 2235-2.065	State Committee of Psychologists		38 MoReg 1182	This Issue	
20 CSR 2245-1.010	Real Estate Appraisers		38 MoReg 1303	This Issue	
20 CSR 2245-3.005	Real Estate Appraisers		38 MoReg 1304	This Issue	
20 CSR 2245-3.010	Real Estate Appraisers		38 MoReg 1304	This Issue	
20 CSR 2245-6.040	Real Estate Appraisers		38 MoReg 1305	This Issue	
20 CSR 2245-8.010	Real Estate Appraisers		38 MoReg 1305	This Issue	
20 CSR 2245-8.030	Real Estate Appraisers		38 MoReg 1306	This Issue	
MISSOURI CONSOLIDATED HEALTH CARE PLAN					
22 CSR 10-2.094	Health Care Plan	38 MoReg 1524	38 MoReg 1557		
22 CSR 10-2.120	Health Care Plan	38 MoReg 1525	38 MoReg 1559		
22 CSR 10-2.130	Health Care Plan	38 MoReg 1359R	38 MoReg 1420R		
22 CSR 10-3.130	Health Care Plan	38 MoReg 1359R	38 MoReg 1423R		

Agency	Publication	Effective	Expiration
Department of Economic Development			
Division of Business and Community Services			
4 CSR 85-8.010	Definitions	This IssueNov. 7, 2013	. . . . .May 5, 2014
4 CSR 85-8.020	Program Administration	This IssueNov. 7, 2013	. . . . .May 5, 2014
4 CSR 85-8.030	Tax Credit Accountability Act Compliance	This IssueNov. 7, 2013	. . . . .May 5, 2014
4 CSR 85-9.010	Definitions	This IssueNov. 7, 2013	. . . . .May 5, 2014
4 CSR 85-9.020	Application Process	This IssueNov. 7, 2013	. . . . .May 5, 2014
4 CSR 85-9.030	Project Proposal	This IssueNov. 7, 2013	. . . . .May 5, 2014
4 CSR 85-9.040	Event Notification	This IssueNov. 7, 2013	. . . . .May 5, 2014
4 CSR 85-9.050	Final Application	This IssueNov. 7, 2013	. . . . .May 5, 2014
Department of Transportation			
Traffic and Highway Safety Division			
7 CSR 60-2.010	Definitions	38 MoReg 1591Oct. 1, 2013	. . . . .March 29, 2014
7 CSR 60-2.020	Approval Procedure	38 MoReg 1593Oct. 1, 2013	. . . . .March 29, 2014
7 CSR 60-2.030	Standards and Specifications	38 MoReg 1595Oct. 1, 2013	. . . . .March 29, 2014
7 CSR 60-2.040	Responsibilities of Authorized Service Providers	38 MoReg 1597Oct. 1, 2013	. . . . .March 29, 2014
7 CSR 60-2.050	Breath Alcohol Ignition Interlock Device Security	38 MoReg 1600Oct. 1, 2013	. . . . .March 29, 2014
Department of Labor and Industrial Relations			
Division of Employment Security			
8 CSR 10-3.150	Fraud Penalties on Federal and State Benefits	38 MoReg 1515Oct. 1, 2013	. . . . .March 29, 2014
8 CSR 10-4.210	Prohibition on the Non-Charging Benefits	38 MoReg 1516Oct. 1, 2013	. . . . .March 29, 2014
Department of Public Safety			
Office of the Director			
11 CSR 30-15.010	Format for Concealed Carry Permits	38 MoReg 1351Aug. 28, 2013	. . . . .Feb. 27, 2014
Peace Officer Standards and Training Program			
11 CSR 75-17.010	Minimum Training Standards for School Protection Officer Training Centers	38 MoReg 1517Sept. 2, 2013	. . . . .Feb. 28, 2014
11 CSR 75-17.020	Minimum Training Standards for School Protection Officer Training Instructors	38 MoReg 1518Sept. 2, 2013	. . . . .Feb. 28, 2014
11 CSR 75-17.030	Minimum Training Standards for School Protection Officers	38 MoReg 1518Sept. 2, 2013	. . . . .Feb. 28, 2014
11 CSR 75-17.040	Minimum Continuing Education Training Standards for School Protection Officers	38 MoReg 1519Sept. 2, 2013	. . . . .Feb. 28, 2014
Department of Revenue			
Director of Revenue			
12 CSR 10-23.500	Optional Second Plate for Commercial Motor Vehicles	38 MoReg 1520Aug. 29, 2013	. . . . .Feb. 27, 2014
12 CSR 10-41.010	Annual Adjusted Rate of Interest	This IssueJan. 1, 2014	. . . . .June 29, 2014
Department of Social Services			
Family Support Division			
13 CSR 40-100.040	State Directory of New Hires	38 MoReg 1601Sept. 26, 2013	. . . . .March 24, 2014
MO HealthNet Division			
13 CSR 70-10.160	Public/Private Long-Term Care Services and Supports Partnership Supplemental Payment to Nursing Facilities	38 MoReg 1520Sept. 7, 2013	. . . . .March 5, 2014
13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology	38 MoReg 1215July 1, 2013	. . . . .Dec. 28, 2013
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA)	38 MoReg 1216July 1, 2013	. . . . .Dec. 28, 2013
Elected Officials			
Secretary of State			
15 CSR 30-90.010	Definitions	38 MoReg 1522Aug. 28, 2013	. . . . .Feb. 27, 2014
15 CSR 30-90.090	Refusal to File; Cancellation; Defects in Filing	38 MoReg 1522Aug. 28, 2013	. . . . .Feb. 27, 2014
15 CSR 30-90.170	Status of Parties upon Filing an Information Statement	38 MoReg 1523Aug. 28, 2013	. . . . .Feb. 27, 2014

Agency	Publication	Effective	Expiration
Department of Health and Senior Services			
State Public Health Laboratory			
19 CSR 25-30.031	Type II Permits . . . . .	.38 MoReg 1602	Sept. 15, 2013 March 13, 2014
19 CSR 25-30.050	Approved Breath Analyzers . . . . .	.38 MoReg 1604	Sept. 15, 2013 March 13, 2014
19 CSR 25-30.060	Operating Procedures for Breath Analyzers . . . . .	.38 MoReg 1604	Sept. 15, 2013 March 13, 2014
Department of Insurance, Financial Institutions and Professional Registration			
Financial Examination			
20 CSR 200-2.100	Credit for Reinsurance . . . . .	.38 MoReg 1695	Jan. 1, 2014 June 29, 2014
Life, Annuities and Health			
20 CSR 400-11.100	Navigator Examination and Licensing Procedures and Standards . . . . .	.38 MoReg 1353	Aug. 3, 2013 Jan. 29, 2014
20 CSR 400-11.120	Continuing Education for Individual Navigators . . . . .	.38 MoReg 1732	Sept. 30, 2013 March 28, 2014
20 CSR 400-12.100	Missouri Health Insurance Pool Transitional Plan of Operation . . . . .	.38 MoReg 1737	Sept. 30, 2013 March 28, 2014
Missouri State Board of Accountancy			
20 CSR 2010-2.160	Fees . . . . .	.38 MoReg 1159	June 28, 2013 Feb. 27, 2014
Acupuncturist Advisory Committee			
20 CSR 2015-1.030	Fees . . . . .	.38 MoReg 751	April 18, 2013 Jan. 28, 2014
Committee for Professional Counselors			
20 CSR 2095-1.020	Fees . . . . .	.38 MoReg 751	April 18, 2013 Jan. 28, 2014
Missouri Consolidated Health Care Plan			
Health Care Plan			
22 CSR 10-2.010	Definitions	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.020	General Membership Provisions	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.030	Contributions	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.045	Plan Utilization Review Policy	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.051	PPO 300 Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.052	PPO 600 Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.053	High Deductible Health Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.054	Medicare Supplement Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.055	Medical Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.055	Medical Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.060	PPO 300 Plan, PPO 600 Plan, and HDHP Limitations	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.070	Coordination of Benefits	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.075	Review and Appeals Procedure	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.089	Pharmacy Employer Group Waiver Plan for Medicare Primary Members	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.090	Pharmacy Benefit Summary	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations . . . . .	.38 MoReg 1524	Oct. 1, 2013 March 29, 2014
22 CSR 10-2.120	Wellness Program . . . . .	.38 MoReg 1525	Oct. 1, 2013 March 29, 2014
22 CSR 10-2.130	Additional Plan Options . . . . .	.38 MoReg 1359	July 26, 2013 Jan. 21, 2014
22 CSR 10-2.140	Wellness Center Provisions, Charges, and Services	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.010	Definitions	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.020	General Membership Provisions	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.045	Plan Utilization Review Policy	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.053	PPO 1000 Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.054	PPO 2000 Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.055	High Deductible Health Plan Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.056	PPO 600 Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.057	Medicare Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.057	Medicare Plan Benefit Provisions and Covered Charges	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.060	PPO 600, PPO 1000 Plan, and HDHP Limitations	Next Issue	Jan. 1, 2014 June 29, 2014
22 CSR 10-3.075	Review and Appeals Procedure	Next Issue	Jan. 1, 2014 June 29, 2014

Agency		Publication	Effective	Expiration
22 CSR 10-3.090	Pharmacy Benefit Summary	Next Issue	Jan. 1, 2014	June 29, 2014
22 CSR 10-3.130	Additional Plan Options	38 MoReg 1359	July 26, 2013	Jan. 21, 2014

Executive Orders	Subject Matter	Filed Date	Publication
2013			
13-14	Orders the Missouri Department of Revenue to follow sections 143.031.1 and 143.091, RSMo, and require all taxpayers who properly file a joint federal income tax return to file a combined state income tax return.	Nov. 14, 2013	Next Issue
13-13	Advises that state offices will be closed on Friday November 29, 2013.	Nov. 1, 2013	38 MoReg 1859
13-12	Activates the state militia in response to the heavy rains, flooding, and flash flooding that began on Aug. 2, 2013.	Aug. 7, 2013	38 MoReg 1459
13-11	Declares a state of emergency and activates the Missouri State Operation Plan due to heavy rains, flooding, and flash flooding.	Aug. 6, 2013	38 MoReg 1457
13-10	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated.	May 31, 2013	38 MoReg 1097
13-09	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	May 3, 2013	38 MoReg 879
13-08	Activates the state militia in response to severe weather that began on April 16, 2013.	April 19, 2013	38 MoReg 823
13-07	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to severe weather that began on April 16, 2013.	April 19, 2013	38 MoReg 821
13-06	Declares a state of emergency and activates the Missouri State Emergency Operations Plan in response to severe weather that began on April 10, 2013.	April 10, 2013	38 MoReg 753
13-05	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to severe weather that began on Feb. 20, 2013.	Feb. 21, 2013	38 MoReg 505
13-04	Expresses the commitment of the state of Missouri to the establishment of Western Governors University (WGU) as a non-profit institution of higher education located in Missouri that will provide enhanced access for Missourians to enroll in and complete on-line, competency-based higher education programs. Contemporaneously with this Executive Order, the state of Missouri is entering into a Memorandum of Understanding (MOU) with WGU to further memorialize and establish the partnership between the state of Missouri and WGU.	Feb. 15, 2013	38 MoReg 467
13-03	Orders the transfer of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development.	Feb. 4, 2013	38 MoReg 465
13-02	Orders the transfer of the post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development to the Missouri Department of Revenue.	Feb. 4, 2013	38 MoReg 463
13-01	Orders the transfer of the Center for Emergency Response and Terrorism from the Department of Health and Senior Services to the Department of Public Safety.	Feb. 4, 2013	38 MoReg 461
2012			
12-12	Reauthorizes the Governor's Committee to End Chronic Homelessness until December 31, 2016.	Dec. 31, 2012	38 MoReg 246
12-11	Advises that state offices located in Cole County will be closed on Monday, January 14, 2013, for the inauguration.	Dec. 20, 2012	38 MoReg 245
12-10	Advises that state offices will be closed on Friday November 23, 2012.	Nov. 2, 2012	37 MoReg 1639
12-09	Extends Executive Order 12-08 in order to extend the deadline for completion of approved projects under the Emergency Cost-Share Program and establishes a Program Audit and Compliance Team to inspect a sample of completed projects. It also extends Executive Order 12-07 until Nov. 15, 2012.	Sept. 10, 2012	37 MoReg 1519
12-08	Authorizes the State Soil and Water Districts Commission to implement an emergency cost-share program to address water challenges to landowners engaged in livestock or crop production due to the current drought. Additionally, it establishes the Agriculture Water Resource Technical Review Team.	July 23, 2012	37 MoReg 1294
12-07	Declares a state of emergency, directs the Missouri State Emergency Operations Plan be activated, and extends Executive Order 12-06 to Oct. 1, 2012, in response to the severe heat, dry conditions, and fire risks affecting the state.	July 23, 2012	37 MoReg 1292

Executive Orders	Subject Matter	Filed Date	Publication
12-06	Activates the Missouri State Emergency Operations Center and directs the State Emergency Management Agency, State Fire Marshall, Adjutant General, and such other agencies to coordinate with local authorities affected by fire danger due to the prolonged period of record heat and low precipitation.	June 29, 2012	37 MoReg 1139
12-05	Extends Executive Orders 11-06, 12-03, 11-07, 11-11, 11-14, and 12-04 until June 1, 2012.	March 13, 2012	37 MoReg 569
12-04	Activates the state militia in response to severe weather that began on February 28, 2012.	Feb. 29, 2012	37 MoReg 503
12-03	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to the severe weather that began on February 28, 2012.	Feb. 29, 2012	37 MoReg 501
12-02	Orders the transfer of all authority, powers, and duties of all remaining audit and compliance responsibilities relating to Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs from the Dept. of Health and Senior Services and the Dept. of Mental Health to the Dept. of Social Services effective Aug. 28, 2012, unless disapproved within sixty days of its submission to the Second Regular Session of the 96th General Assembly.	Jan. 23, 2012	37 MoReg 313
12-01	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	Jan. 23, 2012	37 MoReg 311

The rule number and the MoReg publication date follow each entry to this index.

ACCOUNTANCY, MISSOURI STATE BOARD OF
fees; 20 CSR 2010-2.160; 7/15/13, 11/1/13

ADMINISTRATION, OFFICE OF
commissioner of administration

Missouri accountability portal; 1 CSR 10-7.010; 11/1/13
personnel advisory board and division of personnel
definitions of terms; 1 CSR 20-5.015; 10/15/13
leaves of absence; 1 CSR 20-5.020; 10/15/13
state official's salary compensation schedule; 1 CSR 10; 12/2/13

AGRICULTURE

animal health

movement of livestock, poultry, and exotic animals within
Missouri; 2 CSR 30-2.020; 9/3/13

state milk board

inspection fees; 2 CSR 80-5.010; 9/3/13
inspection frequency and procedure; 2 CSR 80-2.050; 9/3/13

weights and measures

quality standards for motor fuels; 2 CSR 90-30.040; 7/1/13

AIR QUALITY, AIR POLLUTION CONTROL

additional air quality control measures may be required when
sources are clustered in a small land area; 10 CSR 10-
5.240; 11/15/13

auto exhaust emission control; 10 CSR 10-3.010; 7/1/13, 12/2/13
commercial and industrial solid waste incinerators; 10 CSR 10-
6.161; 8/15/13

controlling emissions during episodes of high air pollution
potential; 10 CSR 10-6.130; 6/17/13, 11/1/13

definitions and common reference tables; 10 CSR 10-6.020;
8/15/13

emission standards for hazardous air pollutants; 10 CSR 10-6.080;
6/17/13, 11/1/13

hospital, medical, infection waste incinerators; 10 CSR 10-6.200;
9/3/13, 12/2/13

maximum achievable control technology regulations; 10 CSR 10-
6.075; 6/17/13, 11/1/13

new source performance regulations; 10 CSR 10-6.070; 6/17/13,
11/1/13

reference methods; 10 CSR 10-6.040; 5/1/13, 10/1/13

restriction of emissions from municipal solid waste landfills; 10
CSR 10-6.310; 10/15/13

**ARCHITECTS, PROFESSIONAL ENGINEERS,
PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE
ARCHITECTS, MISSOURI BOARD FOR**

guidelines for acceptable standard of care; 20 CSR 2030-2.060;
9/16/13

standard of care when evaluating criteria for building design; 20
CSR 2030-2.040; 9/16/13

title block; 20 CSR 2030-2.050; 9/16/13

BEHAVIOR ANALYST ADVISORY BOARD

application for licensure; 20 CSR 2063-2.005; 7/1/13, 10/15/13

ethical rules of conduct; 20 CSR 2063-6.005; 10/15/13

fees; 20 CSR 2063-1.015; 7/1/13, 10/15/13

replacement of license; 20 CSR 2063-2.020; 7/1/13, 10/15/13

**BREATH ALCOHOL IGNITION INTERLOCK DEVICE
CERTIFICATION AND OPERATIONAL REQUIREMENTS**

approval procedure; 7 CSR 60-2.020; 4/15/13

breath alcohol ignition interlock device security; 7 CSR 60-2.050;
4/15/13

definitions; 7 CSR 60-2.010; 4/15/13

responsibilities of authorized service providers; 7 CSR 60-2.040;
4/15/13

standards and specifications; 7 CSR 60-2.030; 4/15/13

suspension or revocation of approval of a device; 7 CSR 60-2.060;
4/15/13

BUSINESS AND COMMUNITY SERVICES, DIVISION OF

application process; 4 CSR 85-9.020; 12/2/13

definitions

4 CSR 85-8.010; 12/2/13

4 CSR 85-9.010; 12/2/13

event notification; 4 CSR 85-9.040; 12/2/13

final application; 4 CSR 85-9.050; 12/2/13

project proposal; 4 CSR 85-9.030; 12/2/13

program administration; 4 CSR 85-8.020; 12/2/13

tax credit accountability act compliance; 4 CSR 85-8.030; 12/2/13

CERTIFICATE OF NEED PROGRAM

application review schedule; 19 CSR 60-50; 10/1/13, 11/1/13,
12/2/13

CHILDREN'S DIVISION

alternative care review board; 13 CSR 35-36.010; 12/2/13

hand-up pilot program; 13 CSR 35-32.040; 6/3/13, 10/1/13

CLEAN WATER COMMISSION

effluent regulations; 10 CSR 20-7.015; 6/17/13

fees; 10 CSR 20-6.011; 10/1/13

water quality standards; 10 CSR 20-7.031; 6/17/13

CONSERVATION, DEPARTMENT OF

bullfrogs and green frogs; 3 CSR 10-12.115; 11/1/13

channel catfish, blue catfish, flathead catfish; 3 CSR 10-6.510; 3
CSR 10-6.510; 11/1/13

commercial deer processing: permit, privileges, requirements; 3
CSR 10-10.744; 11/1/13

commercialization; 3 CSR 10-10.705; 11/1/13

deer

firearms hunting season; 3 CSR 10-7.433; 11/1/13

hunting seasons; general provisions; 3 CSR 10-7.431; 11/1/13

dove hunting; 3 CSR 10-11.185; 11/1/13

falconry; 3 CSR 10-9.442; 11/1/13

fishing

daily and possession limits; 3 CSR 10-12.140; 11/1/13

length limits; 3 CSR 10-12.145; 11/1/13

methods; 3 CSR 10-12.135; 11/1/13

methods and hours; 3 CSR 10-11.205; 11/1/13

general prohibition: applications; 3 CSR 10-9.110; 11/1/13

general provisions; 3 CSR 10-9.105; 11/1/13

hunting

and trapping; 3 CSR 10-12.125; 11/1/13

general provisions and seasons; 3 CSR 10-11.180; 11/1/13

methods; 3 CSR 10-7.410; 11/1/13

migratory game birds and waterfowl; seasons, limits; 3 CSR 10-
7.440; 10/1/13, 11/1/13

monetary values established for fish and wildlife; 3 CSR 10-3.010;
11/1/13

other fish; 3 CSR 10-6.550; 11/1/13

owner may protect property; public safety; 3 CSR 10-4.130;
11/1/13

quail hunting; 3 CSR 10-11.184; 11/1/13

trout permit; 3 CSR 10-5.430; 11/1/13

use of boats and motors; 3 CSR 10-12.110; 11/1/13

vehicles, bicycles, horses, and horseback riding; 3 CSR 10-11.130;
11/1/13

white bass, yellow bass, striped bass; 3 CSR 10-6.545; 11/1/13

COSMETOLOGY AND BARBER EXAMINERS, BOARD OF
 crossover schools; 20 CSR 2085-13.070; 10/15/13
 general rules and application requirements for all schools; 20 CSR 2085-12.010; 10/15/13
 specific requirements for barber schools; 20 CSR 2085-12.020; 10/15/13

ELECTIONS

initiative, referendum, new party and independent candidate petitions Missouri Voter Registration System option; 15 CSR 30-15.030; 9/16/13
 processing procedures for initiative, referendum, new party and independent candidate petitions; 15 CSR 30-15.020; 10/1/13
 signature verification procedures for initiative, referendum, new party and independent petitions; 15 CSR 30-15.010; 10/1/13

ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF

application for certificate of license to teach; 5 CSR 20-400.500; 12/2/13
 approval of eligible employees; 5 CSR 20-300.190; 10/1/13
 certification requirements for teacher of
 adult education and literacy; 5 CSR 20-400.700; 12/2/13
 career continuous administrator certificate; 5 CSR 20-400.630; 12/2/13
 career continuous career education certificate; 5 CSR 20-400.690; 12/2/13
 career continuous student services certificate; 5 CSR 20-400.650; 12/2/13
 career education (postsecondary) certificates; 5 CSR 20-400.670; 12/2/13
 career education (secondary) certificates; 5 CSR 20-400.660; 12/2/13
 career education (secondary/postsecondary) certificates; 5 CSR 20-400.680; 12/2/13
 early childhood education (birth-pre-kindergarten); 5 CSR 20-400.510; 12/2/13
 elementary education (grades K-6); 5 CSR 20-400.520; 12/2/13
 English for speakers of other languages (grades K-12); 5 CSR 20-400.570; 12/2/13
 gifted education (grades K-12); 5 CSR 20-400.580; 12/2/13
 initial administrator certificate; 5 CSR 20-400.610; 12/2/13
 initial student services certificate; 5 CSR 20-400.640; 12/2/13
 K-12 education; 5 CSR 20-400.550; 12/2/13
 mathematics specialists (grades 1-6); 5 CSR 20-400.590; 12/2/13
 middle school education (grades 5-9); 5 CSR 20-400.530; 12/2/13
 secondary education (grades 9-12); 5 CSR 20-400.540; 12/2/13
 special education; 5 CSR 20-400.560; 12/2/13
 special reading (grades K-12); 5 CSR 20-400.600; 12/2/13
 transition administrator certificate; 5 CSR 20-400.620; 12/2/13
 charter school closure; 5 CSR 20-100.265; 11/1/13
 definitions; 5 CSR 20-500.120; 11/1/13
 disbursement of funds; 5 CSR 20-300.200; 10/1/13
 districts effectively evaluating educators; 5 CSR 20-400.375; 6/3/13, 12/2/13
 eligibility for scholarships; 5 CSR 10-2.030; 12/2/13
 establishment of sheltered workshops; 5 CSR 20-300.160; 10/1/13
 general department organization; 5 CSR 10-1.010; 10/1/13
 Missouri school improvement program; 5 CSR 20-100.170; 12/2/13
 operation of extended employment sheltered workshops; 5 CSR 20-300.170; 10/1/13

physical fitness challenge/assessment "Cade's Law"; 5 CSR 20-200.290; 11/1/13
 rebuild Missouri schools program; 5 CSR 30-640.100; 10/1/13
 renewal or revocation of a certificate of authority; 5 CSR 20-300.180; 10/1/13
 scholarship granting organizations; 5 CSR 10-2.010; 12/2/13
 scholarships; 5 CSR 10-2.020; 12/2/13
 training of school employees in the care needed for students with diabetes; 5 CSR 20-200.300; 11/1/13

ENERGY, DIVISION OF

definitions and general provisions; 10 CSR 140-5.010; 7/1/13, 10/15/13

EXAMINERS FOR HEARING INSTRUMENT SPECIALISTS, BOARD OF

fees; 20 CSR 2165-1.020; 10/15/13
 licensure by examination; 20 CSR 2165-2.030; 10/15/13

EXECUTIVE ORDERS

advises that state offices will be closed on November 29, 2013; 13-13; 11/15/13

FAMILY SUPPORT DIVISION

child support program, general administration
 state directory of new hires; 13 CSR 40-100.040; 10/15/13
 community programs
 formula for the distribution of community service block grant funds to community action agencies; 13 CSR 40-24.080; 12/2/13
 supplemental funding formula for community action agencies to administer the CSBG program; 13 CSR 40-24.090; 12/2/13
 use of community service block grant discretionary funds; 13 CSR 40-24.100; 12/2/13
 family healthcare
 application procedure for family MO HealthNet programs and Children's Health Insurance program (CHIP); 13 CSR 40-7.015; 9/3/13
 calculation of modified adjusted gross income (MAGI); 13 CSR 40-7.030; 9/3/13
 household composition; 13 CSR 40-7.020; 9/3/13
 scope and definition; 13 CSR 40-7.010; 9/3/13
 verification procedures; 13 CSR 40-7.040; 9/3/13
 income maintenance
 general application procedures; 13 CSR 40-2.010; 9/3/13

FINANCE, DIVISION OF

operations and supervision of residential mortgage loan brokers; 20 CSR 1140-30.240; 10/15/13

GAMING COMMISSION, MISSOURI

audits; 11 CSR 45-8.060; 5/1/13, 10/1/13
 cash reserve requirements; 11 CSR 45-8.150; 5/1/13, 10/1/13
 count room—characteristics; 11 CSR 45-8.100; 5/1/13, 10/1/13
 definition of license; 11 CSR 45-8.010; 5/1/13, 10/1/13
 mandatory count procedure; 11 CSR 45-8.090; 5/1/13, 10/1/13
 minimum internal control standards (MICS)
 chapter F; 11 CSR 45-9.106; 6/3/13, 11/1/13
 chapter G; 11 CSR 45-9.107; 5/1/13, 10/1/13
 chapter J; 11 CSR 45-9.110; 6/3/13, 11/1/13
 chapter K; 11 CSR 45-9.111; 12/2/13
 chapter R; 11 CSR 45-9.118; 6/3/13, 11/1/13
 chapter S; 11 CSR 45-9.119; 12/2/13
 shipping of electronic gaming devices, gaming equipment, or supplies; 11 CSR 45-5.237; 12/2/13

GEOLOGIST REGISTRATION, MISSOURI BOARD OF

educational requirements; 20 CSR 2145-2.020; 7/1/13, 12/2/13
 fees; 20 CSR 2145-1.040; 7/1/13, 12/2/13
 post-baccalaureate experience in geology; 20 CSR 2145-2.030; 7/1/13, 12/2/13
 renewal of license; 20 CSR 2145-2.080; 7/1/13, 12/2/13

temporary courtesy license; 20 CSR 2145-2.065; 7/1/13, 12/2/13

GEOLOGY AND LAND SURVEY, DIVISION OF

heat pump

- certification and registration of heat pump systems; 10 CSR 23-5.020; 7/1/13, 11/15/13
- closed-loop heat pump systems that use refrigerants as the heat transfer fluid; 10 CSR 23-5.070; 7/1/13, 11/15/13
- construction standards for
 - closed-loop heat pump wells; 10 CSR 23-5.050; 7/1/13, 11/15/13
 - open-loop heat pump systems that use groundwater; 10 CSR 23-5.060; 7/1/13, 11/15/13
- definitions; 10 CSR 23-5.010; 7/1/13, 11/15/13
- general protection of groundwater quality and resources; 10 CSR 23-5.030; 7/1/13, 11/15/13
- location of heat pump wells; 10 CSR 23-5.040; 7/1/13, 11/15/13
- plugging of heat pump wells; 10 CSR 23-5.080; 7/1/13, 11/15/13

HEALTH AND SENIOR SERVICES

regulation and licensure

- environmental waste management and support services; 19 CSR 30-20.114; 7/15/13
- home-care services in hospitals; 19 CSR 30-20.122; 7/15/13
- medical services; 19 CSR 30-20.124; 7/15/13
- orientation and continuing education; 19 CSR 30-20.110; 7/15/13
- outpatient services in hospitals; 19 CSR 30-20.118; 7/15/13
- pathology and medical laboratory services; 19 CSR 30-20.098; 7/15/13
- quality assessment and performance improvement program; 19 CSR 30-20.112; 7/15/13
- variance requests; 19 CSR 30-20.142; 7/15/13
- state public health laboratory
 - approved breath analyzers; 19 CSR 25-30.050; 10/15/13
 - breath analyzer calibration and accuracy verification standards; 19 CSR 25-30.051; 10/15/13
 - operating procedures for breath analyzers; 19 CSR 25-30.060; 10/15/13
- type II permit; 19 CSR 25-30.031; 10/15/13

HIGHWAYS AND TRANSPORTATION COMMISSION, MISSOURI

outdoor advertising

- administrative review of notices to remove outdoor advertising and to terminate nonconforming signs; 7 CSR 10-6.090; 11/15/13
- cutting and trimming of vegetation on right-of-way; 7 CSR 10-6.085; 11/15/13
- definitions; 7 CSR 10-6.015; 11/15/13
- directional and other official signs; 7 CSR 10-6.020; 11/15/13
- nonconforming signs; 7 CSR 10-6.060; 11/15/13
- on-premises signs; 7 CSR 10-6.030; 11/15/13
- outdoor advertising
 - beyond six hundred sixty feet of the right-of-way; 7 CSR 10-6.050; 11/15/13
 - in zoned and unzoned commercial and industrial areas; 7 CSR 10-6.040; 11/15/13
- permits for outdoor advertising; 7 CSR 10-6.070; 11/15/13
- public information; 7 CSR 10-6.010; 11/15/13
- removal of outdoor advertising without compensation; 7 CSR 10-6.080; 11/15/13

INSURANCE

- applied behavior analysis maximum benefit; 20 CSR; 3/1/13
- construction claims binding arbitration cap; 20 CSR; 1/2/13
- continuing education for individual navigators; 20 CSR 400-11.120; 11/1/13

- credit for reinsurance; 20 CSR 200-2.100; 11/1/13
- mental health services allowed out-of-network; 20 CSR 400-2.160; 10/1/13
- Missouri health insurance pool transitional plan of operations; 20 CSR 400-12.100; 11/1/13
- Missouri life and health insurance guaranty association; 20 CSR 400-5.600; 11/15/13
- navigator examination and licensing procedures and standards; 20 CSR 400-11.100; 9/3/13
- sovereign immunity limits; 20 CSR; 1/2/13
- state legal expense fund; 20 CSR; 1/2/13

INTERIOR DESIGN COUNCIL

- definitions; 20 CSR 2193-1.010; 7/1/13, 10/15/13
- fees; 20 CSR 2193-4.010; 7/1/13, 10/15/13
- qualifying education; 20 CSR 2193-2.020; 7/1/13, 10/15/13
- requirements; 20 CSR 2193-5.010; 7/1/13, 10/15/13

INTERPRETERS, STATE COMMITTEE OF

- application for licensure; 20 CSR 2232-2.010; 9/3/13
- application for temporary licensure; 20 CSR 2232-2.020; 9/3/13
- fees; 20 CSR 2232-1.040; 9/3/13
- name and address change, license renewal, and inactive license; 20 CSR 2232-2.030; 9/3/13

LABOR AND INDUSTRIAL RELATIONS, DEPARTMENT OF

employment security

- appeals to an appeals tribunal; 8 CSR 10-5.010; 7/1/13, 10/15/13
- charging of benefits to reimbursable employers; 8 CSR 10-3.085; 11/15/13
- fraud penalties on federal and state benefits; 8 CSR 10-3.150; 10/1/13
- prohibition on the non-charging of benefits; 8 CSR 10-4.210; 10/1/13
- records and reports; 8 CSR 10-4.020; 10/1/13

LAND RECLAMATION COMMISSION

- penalty assessment; 10 CSR 40-8.040; 8/15/13, 12/2/13
- permanent program inspection and enforcement; 10 CSR 40-8.030; 8/15/13, 12/2/13
- review, public participation, and approval of permit applications and permit terms and conditions; 10 CSR 40-6.070; 8/15/13, 12/2/13
- surface mining permit applications—minimum requirements for legal, financial, compliance, and related information; 10 CSR 40-6.030; 8/15/13, 12/2/13
- underground mining permit applications—minimum requirements for legal, financial, compliance, and related information; 10 CSR 40-6.100; 8/15/13, 12/2/13

MISSOURI CONSOLIDATED HEALTH CARE PLAN

additional plan options

- 22 CSR 10-2.130; 9/3/13
- 22 CSR 10-3.130; 9/3/13
- tobacco-free incentive provisions and limitations; 22 CSR 10-2.094; 10/1/13
- wellness program; 22 CSR 10-2.120; 10/1/13

MO HEALTHNET

- ambulance service reimbursement allowance; 13 CSR 70-3.200; 11/15/13
- behavioral health services program documentation; 13 CSR 70-98.015; 11/1/13
- department is the payer of last resort, department's lien for recovery, participant's duty of cooperation; 13 CSR 70-4.120; 11/1/13

drug prior authorization process; 13 CSR 70-20.200; 11/1/13
durable medical equipment program; 13 CSR 70-60.010; 11/1/13
federal reimbursement allowance (FRA); 13 CSR 70-15.110;
8/1/13, 12/2/13
global per diem adjustments to nursing facility and HIV nursing
facility reimbursement rates; 13 CSR 70-10.016; 12/2/13
hearing aid program; 13 CSR 70-45.010; 11/15/13
hospice services program; 13 CSR 70-50.010; 11/1/13
inpatient hospital services reimbursement plan; outpatient hospital
services reimbursement methodology; 13 CSR 70-15.010;
8/1/13, 12/2/13
limitations on payment for inpatient hospital care; 13 CSR 70-
15.030; 10/15/13
list of excludable drugs
excluded from coverage under the MO HealthNet pharmacy
program; 13 CSR 70-20.032; 10/15/13
for which prior authorization is required; 13 CSR 70-20.031;
10/15/13
MO HealthNet (Medicaid) payment for certain services furnished
by certain physicians in calendar years 2013 and 2014; 13
CSR 70-25.120; 11/15/13
multiple source drugs for which there exists a federal upper limit
on reimbursement; 13 CSR 70-20.071; 11/1/13
optical benefits and limitations—MO HealthNet Program; 13 CSR
70-40.010; 11/15/13
prior authorization of new drug entities or new drug dosage form;
13 CSR 70-20.250; 10/15/13
prior authorization process for non-pharmaceutical behavioral
health services; 13 CSR 70-98.020; 11/15/13
professional dispensing fee; 13 CSR 70-20.060; 11/1/13
prospective drug use review process and patient counseling; 13
CSR 70-20.310; 10/15/13
prospective outpatient hospital services reimbursement methodolo-
gy; 13 CSR 70-15.160; 8/1/13, 12/2/13
prospective reimbursement plan for nursing facility services; 13
CSR 70-10.015; 8/1/13, 12/2/13
public/private long-term care services and supports partnership sup-
plemental payment to nursing facilities; 13 CSR 70-
10.160; 8/1/13, 10/1/13, 12/2/13
retrospective drug use review process; 13 CSR 70-20.300; 10/15/13
return of drugs; 13 CSR 70-20.050; 10/15/13
sanctions for false or fraudulent claims for MO HealthNet services;
13 CSR 70-3.030; 10/15/13
therapy program; 13 CSR 70-70.010; 11/1/13

MOTOR CARRIER AND RAILROAD SAFETY

application for a self-insurer status; 7 CSR 265-10.035; 6/17/13,
11/15/13
application requirements for the issuance and transfer of intrastate
motor carrier authority; 7 CSR 265-10.015; 6/17/13,
11/15/13
classification of common carriers by services performed; 7 CSR
265-10.070; 6/17/13, 11/15/13
complaints; 7 CSR 265-10.130; 6/17/13, 11/15/13
definitions; 7 CSR 265-10.010; 6/17/13, 11/15/13
discontinuance of service; suspension and revocation of certificates,
permits, and property carrier registrations; 7 CSR 265-
10.140; 6/17/13, 11/15/13
household goods tariffs; 7 CSR 265-10.120; 6/17/13, 11/15/13
inspection of books, records, property, equipment, and roadside
stops by division personnel; 7 CSR 265-10.060; 6/17/13,
11/15/13
insurance; 7 CSR 265-10.030; 6/17/13, 11/15/13
joint service and interlining by passenger or household goods
carriers; 7 CSR 265-10.110; 6/17/13, 11/15/13
licensing of vehicles; 7 CSR 265-10.020; 6/17/13, 11/15/13

marking of vehicles; 7 CSR 265-10.025; 6/17/13, 11/15/13
merger of duplicated or overlapping motor carrier operating
authority; 7 CSR 265-10.090; 6/17/13, 11/15/13
motor vehicle leasing; 7 CSR 265-10.040; 6/17/13, 11/15/13
passenger service requirement; 7 CSR 265-10.045; 6/17/13,
11/15/13
passenger tariffs; 7 CSR 265-10.055; 6/17/13, 11/15/13
regulation of advertising by motor carriers; 7 CSR 265-10.100;
6/17/13, 11/15/13
rules governing the transportation of household goods; 7 CSR 265-
10.080; 6/17/13, 11/15/13
tariffs, time schedules, and motor carrier documentation; 7 CSR
265-10.050; 6/17/13, 11/15/13

MOTOR CARRIERS

application for a self-insurer status; 4 CSR 265-2.068; 6/17/13,
11/15/13
discontinuance of service; suspension and revocation of certificates,
and permits; 4 CSR 265-2.180; 6/17/13, 11/15/13
merger of duplicated or overlapping motor carrier operating
authority; 4 CSR 265-2.190; 6/17/13, 11/15/13
passenger tariffs; 4 CSR 265-6.010; 6/17/13, 11/15/13
uniform system of account for Class I motor carriers of
passengers; 4 CSR 265-12.030; 6/17/13, 11/15/13
uniform systems of accounts for Class B motor carriers of house-
hold goods and passengers; 4 CSR 265-12.020; 6/17/13,
11/15/13

MOTOR VEHICLE

optional second plate for commercial motor vehicles; 12 CSR 10-
23.500; 10/1/13

NURSING, STATE BOARD OF

general organization; 20 CSR 2200-1.010; 10/15/13
public complaint handling and disposition procedure; 20 CSR
2200-4.030; 10/1/13
requirements for licensure; 20 CSR 2200-4.020; 10/15/13

OCCUPATIONAL THERAPY, MISSOURI BOARD OF

application for limited permit; 20 CSR 2205-3.030; 8/15/13,
12/2/13

PEACE OFFICER STANDARDS AND TRAINING PROGRAM

minimum continuing education training standards for school protec-
tion officers; 11 CSR 75-17.040; 10/1/13
minimum training standards for school protection officers; 11 CSR
75-17.030; 10/1/13
minimum training standards for school protection officer training
centers; 11 CSR 75-17.010; 10/1/13
minimum training standards for school protection officer training
instructors; 11 CSR 75-17.020; 10/1/13

PETROLEUM AND HAZARDOUS SUBSTANCE STORAGE TANKS

assessing the site at closure or change in service; 10 CSR 26-2.062;
7/15/13
corrective action plan; 10 CSR 26-2.082; 7/15/13
investigations for soil and groundwater cleanup; 10 CSR 26-2.078;
7/15/13

PHARMACY, STATE BOARD OF

automated filling systems; 20 CSR 2220-2.950; 8/1/13, 12/2/13

PRIVATE INVESTIGATOR AND PRIVATE FIRE INVESTIGATOR EXAMINERS, BOARD OF

application for licensure

agency; 20 CSR 2234-3.010; 10/15/13
agency employee; 20 CSR 2234-3.040; 10/15/13
private fire investigator; 20 CSR 2234-2.015; 10/15/13
private investigator; 20 CSR 2234-2.010; 10/15/13
change of name, ownership, location, or investigator-in-charge; 20 CSR 2234-3.020; 10/15/13
code of conduct; 20 CSR 2234-7.010; 10/15/13
complaint handling and disposition; 20 CSR 2234-1.040; 10/15/13
continuing education; 20 CSR 2234-6.010; 10/15/13
definitions; 20 CSR 2234-1.010; 10/15/13
fees; 20 CSR 2234-1.050; 10/15/13
general organization; 20 CSR 2234-1.020; 10/15/13
licensure renewal
20 CSR 2234-2.040; 10/15/13
20 CSR 2234-3.030; 10/15/13
licensed agency investigator employees and agency fire investigator employees; 20 CSR 2234-3.070; 10/15/13
name and address changes; 20 CSR 2234-2.020; 10/15/13
policy for release of public records; 20 CSR 2234-1.030; 10/15/13
private investigator trainee
application for license; 20 CSR 2234-4.010; 10/15/13
licensure renewal; 20 CSR 2234-4.050; 10/15/13
name and address changes; 20 CSR 2234-4.030; 10/15/13
replacement of renewal license; 20 CSR 2234-4.040; 10/15/13
trainer responsibilities; 20 CSR 2234-4.020; 10/15/13
replacement of renewal license; 20 CSR 2234-2.030; 10/15/13

PROBATION AND PAROLE, STATE BOARD OF

definitions for intervention fees; 14 CSR 80-5.010; 12/2/13
intervention fee procedure; 14 CSR 80-5.020; 12/2/13

PROFESSIONAL REGISTRATION, DIVISION OF

designation of license renewal dates and related renewal information; 20 CSR 2231-2.010; 10/15/13

PSYCHOLOGISTS, STATE COMMITTEE OF

application for
licensure; 20 CSR 2235-1.030; 7/15/13, 12/2/13
provisional licensure; 20 CSR 2235-1.025; 7/15/13, 12/2/13
temporary licensure; 20 CSR 2235-1.026; 7/15/13, 12/2/13
fees; 20 CSR 2235-1.020; 7/15/13, 12/2/13
licensure by
endorsement of written EPPP examination score; 20 CSR 2235-2.065; 7/15/13, 12/2/13
examination; 20 CSR 2235-2.060; 7/15/13, 12/2/13

PUBLIC SAFETY, DEPARTMENT OF

director, office of
approval of accrediting organizations for crime laboratories; 11 CSR 30-14.010; 2/1/13, 9/16/13
format for concealed carry permits; 11 CSR 30-15.010; 9/3/13

PUBLIC SERVICE COMMISSION

filing and reporting requirements
requirements for carrier designation as eligible telecommunications carriers; 4 CSR 240-3.570; 9/16/13
manufactured home installers
definitions; 4 CSR 240-125.010; 9/16/13
installation decals; 4 CSR 240-125.070; 9/16/13
manufactured home installer license; 4 CSR 240-125.040; 9/16/13
modular units
modular unit dealer/selling agent setup responsibilities; 4 CSR 240-123.065; 9/16/13
monthly report requirement for registered modular unit dealers; 4 CSR 240-123.070; 9/16/13
re-inspection fee; 4 CSR 240-123.095; 9/16/13
new manufactured homes
manufactured home dealer setup responsibilities; 4 CSR 240-120.065; 9/16/13

monthly report requirement for registered manufactured home dealers; 4 CSR 240-120.130; 9/16/13
re-inspection fee; 4 CSR 240-120.085; 9/16/13
safety standards
safety standards for electrical corporations, telecommunications companies and rural electric cooperatives; 4 CSR 240-18.010; 9/3/13
service and billing practices for residential customers of electric, gas, sewer, and water utilities
billing adjustments; 4 CSR 240-13.025; 9/3/13
billing and payment standards; 4 CSR 240-13.020; 9/3/13
cold weather maintenance of service: provision of residential heat-related utility service during cold weather; 4 CSR 240-13.055; 9/3/13
commission complaint procedures; 4 CSR 240-13.070; 9/3/13
definitions; 4 CSR 240-13.015; 9/3/13
denial of service; 4 CSR 240-13.035; 9/3/13
deposits and guarantees of payment; 4 CSR 240-13.030; 9/3/13
discontinuance of service; 4 CSR 240-13.050; 9/3/13
disputes; 4 CSR 240-13.045; 9/3/13
general provisions; 4 CSR 240-13.010; 9/3/13
inquiries; 4 CSR 240-13.040; 9/3/13
settlement agreement and payment agreement; 4 CSR 240-13.060; 9/3/13

universal service

applications for MoUSF funds; 4 CSR 240-31.080; 9/16/13
collection of MoUSF surcharge from end-user subscribers; 4 CSR 240-31.065; 9/16/13
definitions; 4 CSR 240-31.010; 9/16/13
disbursements of MoUSF funds; 4 CSR 240-31.090; 9/16/13
eligibility for funding
low-income customers and disabled customers; 4 CSR 240-31.050; 9/16/13
high cost areas; 4 CSR 240-31.040; 9/16/13
eligible telecommunications carrier requirements; 4 CSR 240-31.130; 9/16/13
lifeline program and disabled program; 4 CSR 240-31.120; 9/16/13
MoUSF assessment; 4 CSR 240-31.060; 9/16/13
MoUSFA; 4 CSR 240-31.030; 9/16/13
organization, powers, and meetings of the board; 4 CSR 240-31.020; 9/16/13
receipt of MoUSF funds; 4 CSR 240-31.070; 9/16/13
review of board and MoUSFA activities; 4 CSR 240-31.110; 9/16/13
review procedures for support payments; 4 CSR 240-31.100; 9/16/13

water utilities

environmental cost adjustment mechanism; 4 CSR 240-50.050; 9/16/13

REAL ESTATE APPRAISERS

application for certification and licensure; 20 CSR 2245-3.010; 8/15/13, 12/2/13
case study courses; 20 CSR 2245-6.040; 8/15/13, 12/2/13
general organization; 20 CSR 2245-1.010; 8/15/13, 12/2/13
instructor approval; 20 CSR 2245-8.030; 8/15/13, 12/2/13
requirements; 20 CSR 2245-8.010; 8/15/13, 12/2/13
trainee real estate appraiser registration; 20 CSR 2245-3.005; 8/15/13, 12/2/13

RETIREMENT SYSTEMS

public school retirement system of Missouri, the
election to fill vacancy on board of trustees; 16 CSR 10-1.040; 8/1/13, 12/2/13
payment of funds to the retirement system; 16 CSR 10-3.010; 8/1/13, 12/2/13

requirements for membership; 16 CSR 10-4.005; 8/1/13, 12/2/13
service retirement
 16 CSR 10-5.010; 8/1/13, 12/2/13
 16 CSR 10-6.060; 8/1/13, 12/2/13
source of funds; 16 CSR 10-6.020; 8/1/13, 12/2/13

SECURITIES

application for registration; 15 CSR 30-52.015; 6/3/13
definitions; 15 CSR 30-50.010; 6/3/13
forms; 15 CSR 30-50.040; 6/3/13
general; 15 CSR 30-54.010; 6/3/13
NASAA statement of policy; 15 CSR 30-52.030; 6/3/13
not-for-profit securities; 15 CSR 30-54.070; 6/3/13
small company offering registration (formerly Missouri issuer registration); 15 CSR 30-52.275; 6/3/13
suggested form of investment letter; 15 CSR 30-54.150; 6/3/13

TAX

annual adjusted rate of interest; 12 CSR 10-41.010; 12/2/13
new apportionment method; 12 CSR 10-2.052; 11/1/13

TRAFFIC AND SAFETY DIVISION

approval procedures; 7 CSR 60-2.020; 10/15/13
breath alcohol ignition interlock device security; 7 CSR 60-2.050; 10/15/13
definitions; 7 CSR 60-2.010; 10/15/13
responsibilities of authorized service providers; 7 CSR 60-2.040; 10/15/13
standards and specifications; 7 CSR 60-2.030; 10/15/13
suspension, or revocation of approval of a device; 7 CSR 60-2.060; 10/15/13

TREASURER

charitable donation of allowed claims; 15 CSR 50-3.095; 7/15/13, 10/15/13

UNIFORM COMMERCIAL CODE

definitions; 15 CSR 30-90.010; 10/1/13
refusal to file; cancellation; defects in filing; 15 CSR 30-90.090; 10/1/13
status of parties upon filing an information statement; 15 CSR 30-90.170; 10/1/13

VETERANS AFFAIRS

description of organization; 11 CSR 85-1.010; 7/15/13, 11/1/13
Missouri Veterans Homes program; 11 CSR 85-1.030; 7/15/13, 11/1/13
procedures for receiving information; 11 CSR 85-1.015; 7/15/13, 11/1/13
veterans services program; 11 CSR 85-1.020; 7/15/13, 11/1/13
Veterans Cemeteries Program; 11 CSR 85-1.050; 7/15/13, 11/1/13
Veterans Trust Fund; 11 CSR 85-1.040; 7/15/13, 11/1/13

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